

House Testimony References

Online link to Judy Clinton HB4029 Testimony 2-8-2018

EXHIBITS

- 1) source not found
- 2) source not found
- 3) <http://www.oregon.gov/oprd/Documents/Commission/2016.2-Portland/1b%20APPROVED-minutes-Feb2016.pdf>
- 4) <http://www.oregon.gov/oprd/Documents/Commission/2016.2-Portland/Feb11.pdf>
- 5) <http://www.oregon.gov/OPRD/docs/deschutes-sww-con-final-20151120.pdf>
- 6) <http://www.oregon.gov/oprd/docs/deschutes-flowchart.pdf>
- 7) <http://www.oregon.gov/oprd/docs/Oregon-Scenic-Waterways-UDAG-Dec16.pdf>
- 8) <http://www.oregon.gov/oprd/docs/deschutes-bend-meeting-notice.pdf>
- 9) <http://www.oregon.gov/oprd/docs/deschutes-UDAGSession1-Attendees-20161216.pdf>
- 10) <http://www.oregon.gov/oprd/docs/deschutes-UDAGSession1-Record-20161216.pdf>
- 11) <http://www.oregon.gov/oprd/docs/deschutes-UDAGSession2-Record-20170125.pdf>
- 12) <http://www.oregon.gov/oprd/docs/deschutes-UDAGSession3-Record-20170215.pdf>
- 13) <http://www.oregon.gov/oprd/docs/deschutes-UDAGSession4-Record-20170308.pdf>
- 14) <http://www.oregon.gov/oprd/docs/deschutes-UDAGSession5-Record-20170322.pdf>
- 15) <http://www.oregon.gov/oprd/docs/deschutes-UDAGSession6-Record-20170405.pdf>
- 16) <http://www.oregon.gov/oprd/Pages/news/Director-decides-not-to-re-open-rulemaking-for-Upper-Deschutes-State-Scenic-Waterway.aspx>
- 17) <http://www.oregon.gov/oprd/docs/deschutes-final-report-amended.pdf>

News Release

Oregon Parks and Recreation Dept.

FOR IMMEDIATE RELEASE

October 5, 2015 [Updated October 7, 2015]

Media Contact:

Chris Havel, Director's Office, Oregon Parks and Recreation Department

Desk: 503-986-0722 // Cell: 503-931-2590

Hearing to amend rules for Upper Deschutes State Scenic Waterway set for Oct. 28

Bend OR – The Oregon Parks and Recreation Department will hold a public hearing October 28 in Bend to present information and take public comment on a proposed amendment to rules covering the Upper Deschutes State Scenic Waterway.

The proposed amendment to Oregon Administrative Rule 736-040-0073 originated with the Bend Park and Recreation District, and would allow the district to eventually apply for permission to erect a bicycle/pedestrian bridge between river mile 171 (note: previous version of this release incorrectly listed this as river mile 172) and 174.6 as a public trail connection. All construction within a quarter mile of the scenic waterway, which covers 28 miles of the Deschutes River upstream of Bend, involves review and a permit from the Oregon Parks and Recreation Department to protect the scenic and recreational value of the river.

Unlike most of Oregon's other 19 state scenic waterways, a specific rule for the Upper Deschutes currently prevents any organization from applying to construct a crossing. Other state scenic waterways allow applications for crossings, which are then reviewed to ensure they meet scenic waterway protection standards. The proposed change is specific to the Upper Deschutes, and would allow applications for bicycle and pedestrian crossings only.

The public meeting will be held at the Bend Park and Recreation District, 799 SW Columbia Street, Bend, OR 97702 on October 28, 2015 from 6-8 p.m. The meeting will include separate information presentations by the Oregon Parks and Recreation Department and the district, followed by public testimony. Public comment will be accepted until October 30 in writing to OPRD, ATTN: Deschutes Rulemaking, 725 Summer St. NE Suite C, Salem OR 97301, or by email to opr.d.publiccomment@oregon.gov. All comments must be received by 5 p.m., October 30, 2015.

A copy of the proposed rule text and a map of the affected area are online at <http://bit.ly/deschutes-scenic> .

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Editors: For information on Bend Park and Recreation District plans for this trail connection, contact Executive Director Don Horton, 541-389-7275, don@bendparksandrec.org.



Oregon Parks and Recreation Department
Public hearing on proposal to amend Oregon Administrative Rule 736-040-0073
799 SW Columbia Street, Bend, OR
6-8 p.m., October 28, 2015

Agenda

1. Welcome and introductions – (5 min)OPRD
2. Scenic Waterway info: history, process, current/new language – (15 min)OPRD
3. Bend Park and Rec information: trail connections – (35 min)Bend PR
4. Next steps: Results of passing/not passing new language. – (5 min)OPRD
5. Public testimony, 3 minutes for each person. – (60 min +/-).....All

Materials:

1. Agenda.
2. Scenic waterway history and process explanation.
3. Proposed rule amendment.
4. Map of area affected by proposed rule change.
5. Bend Park and Recreation District information about request.
6. Comment sheet.



OREGON PARKS AND RECREATION COMMISSION

February 23-24, 2016

Portland, Oregon

APPROVED MINUTES

Tuesday, February 23, 2016 -

Location: Oregon Historical Society, Madison Room (2nd Floor) at 1200 SW Park Avenue, Portland, 97205

WORK-SESSION / TRAINING: 10:30 a.m. – 2:30 p.m.

- Organizational Structure Overview by Lisa Sumption (90 minutes)
- An Introduction to Intertwine Alliance by Mike Wetter, Executive Director (30 minutes)
- Park Systems Panel (90 minutes)
 - Metro – Kathleen Brennan-Hunter, Director of Parks and Nature
 - Tualatin Hills Park and Recreation District – Doug Menke, Director
 - Lake Oswego Parks and Recreation Department – Ivan Anderholm, Director
 - Portland Parks and Recreation – Warren Jimenez, Assistant Director

Wednesday, February 24, 2016 –

Location: World Forestry Center, Cheatham Hall at 4033 SW Canyon Road, Portland, 97221

EXECUTIVE SESSION: 8:30 a.m.

The Commission met in Executive Session to discuss acquisition priorities and opportunities, and potential litigation. The Executive Session was held pursuant to ORS 192.660(2)(e) and (h), and is closed to the public.

BUSINESS MEETING: 9:45 a.m.

PRESENT COMMISSIONERS AND STAFF:

- Cal Mukumoto, Commission Chair
- Brad Chalfant, Commission Vice Chair
- Wendy Veliz, Commissioner
- Robin Risley, Commissioner
- Jonathan Blasher, Commissioner
- Lisa Dawson, Commissioner
- Lisa Sumption, OPRD Director
- Steve Shipsey, DOJ
- Jennifer Busey, OPRD
- MG Devereux, OPRD
- Chris Havel, OPRD
- Scott Nebeker, OPRD
- Claudia Ciobano, OPRD
- Richard Walkoski, OPRD
- Chrissy Curran, OPRD
- Kevin Price, OPRD
- Kammie Bunes, OPRD
- Terry Bergerson, OPRD
- Jan Hunt, OPRD
- Alexandra Phillips, OPRD

1. Commission Business

- a) Welcome and introductions (Information)
- b) Approval of November 2015 Commission Meeting Minutes and Recap of Actions (**Action**)

ACTION: Commissioner Chalfant moved to approve the November 2015 commission meeting minutes and the November 2015 commission agenda. Commissioner Veliz seconded. The motion passed, 6-0. (One of the seven votes was abstained due to absence.) (00:01:19)

- c) Approval of February 2016 Agenda (**Action**)

ACTION: Commissioner Allen moved to approve the February 2016 commission agenda with the Item 4b (Director's 2015 Expense Report) tabled to the next meeting. Commissioner Dawson seconded. The motion passed, 7-0. (00:02:33)

2. Public Comment: This is the time for the public to address the Commission.

*If you wish to make public comment on an agenda item you can choose to make your comment either when the item is heard, or during this allotted time. Although written testimony is not required, it is suggested that 15 copies be provided to the Commission Assistant prior to the meeting. **Speaking time is limited to 3 minutes.***

3. Director's Update

- a) Legislative Update (Information)
- b) State Scenic Waterways Program Update (Information)
- c) Willamette Falls (Information)

4. Consent Calendar (**Action**)

- a) Approval of Delegated Authority Report
 1. Contracts
 2. Report of Actions Taken under Delegated Authority for Natural Resources Management from October 21, 2015 through January 21, 2016
 3. County Opportunity Grant Program Awards

ACTION: Commissioner Dawson moved to approve the Consent Calendar. Commissioner Chalfant seconded. The motion passed, 7-0. (00:24:46)

5. Budget

- a) 15-17 Budget/Forecast Update (Information)
- b) 17-19 Budget Update (Information)

6. Community Engagement

- a) Painted Hills Scenic Bikeway Designation (**Action**)

ACTION: Commissioner Allen moved to approve the Painted Hills Scenic Bikeway Designation. Commissioner Chalfant seconded. The motion passed, 7-0. (00:39:22)

- b) South Shore Phillips Lake Trail – Scenic Trail Designation (**Action**)

ACTION: Commissioner Allen moved to approve the South Shore Phillips Lake Trail – Scenic Trail Designation. Commissioner Risley seconded. The motion passed, 7-0. (00:41:29)

7. Property

- a) Memaloose State Park / Union Pacific Railroad Updates (Information)
- b) Hood River County - Dimmick Property (**Action**)

ACTION: Commissioner Chalfant moved to approve the release of the reversionary interest in the Dimmick property in exchange for language in the Punchbowl Falls deed restricting uses to parks and recreation. Commissioner Risley seconded. The motion passed, 7-0. (02:11:49)

8. Planning

- a) Adopt Statewide Trails Plan (**Action**)

ACTION: Commissioner Veliz moved to adopt the 2016-2025 Statewide Trails Plan. Commissioner Dawson seconded. The motion passed, 7-0. (01:15:56)

9. Heritage

- a) Heritage Division Report (Information)

10. Stewardship

- a) Bandon State Natural Area (Information)

11. Rulemaking

- a) Upper Deschutes River State Scenic Waterway rulemaking update (**Action**)

ACTION: Commissioner Veliz moved to have the Commission deny the Bend Parks and Recreation District request to amend OAR 736.040.0073 and have OPRD inform the petitioner that the subject matter raised in the September 2015 petition is under consideration despite the denial. Commissioner Risley seconded. The motion passed, 7-0. (01:51:35)

- b) Request to adopt OAR 736-015, Fee Waiver Amendments (**Action**)

ACTION: Commissioner Allen moved to approve the request to adopt OAR 736-015, Fee Waiver Amendments. Commissioner Blasher seconded. The motion passed, 7-0. (02:06:32)

- c) Veterans and Memorial Grant Program – Grant Requests (**Action**)

ACTION: Commissioner Chalfant moved to approve the Veterans and Memorial Grant Program Grant Requests. Commissioner Veliz seconded. The motion passed, 7-0. (02:09:41)

12. Reports

- a) 2016 First Day Hikes (Information)
- b) Storm Report (Information)
- c) Beach driving in Lincoln County (Information)

13. Commission Planning Calendar

The meeting ended at 12:47pm.

The services, programs and activities of the Oregon Parks and Recreation Department are covered by the Americans with Disabilities Act (ADA). If you need special accommodations to participate in this meeting, please contact the commission assistant Jennifer Busey at (503) 986-0719 or jen.busey@oregon.gov at least 72 hours prior to the start of the meeting.

Oregon Parks and Recreation Commission

February 24, 2016

Agenda Item: 11a

Action

Topic: Upper Deschutes River State Scenic Waterway Rulemaking

Presented by: Chris Havel, Associate Director

The Bend Park and Recreation Commission petitioned the Commission in 2015 to amend rules affecting a portion of the Upper Deschutes State Scenic Waterway, which runs between Wickiup Reservoir and Bend. This waterway, designated in 1988 and covered by a management plan adopted in 1996, partially overlaps with a federal Wild and Scenic River.

The State Scenic Waterway is divided into segments, each assigned a classification with specific rules adopted to preserve the scenic, recreational, and natural resource values a joint management team decided were the most in need of protection at the time. The 2015 petition requested a rule change for the two state scenic river segments closest to Bend. One segment, a **Scenic River** segment, normally carries fairly moderate protections. The other segment, inside Bend's Urban Growth Boundary, is classified as a **River Community** segment. The River Community classification is generally the most permissive of all the state scenic waterway categories. Even so, **both** segments contain a specific rule prohibiting crossings.

The Bend Park and Recreation District request would have allowed bicycle/pedestrian crossings in both segments to accommodate extension of the Deschutes River Trail from Bend's core to U.S. Forest Service property south of town. Public comment on this rule request was split, with equally impassioned members of the community arguing for the most recreationally-pleasing trail across and along the river, and river enthusiasts and adjacent property owners warning against weakening scenic river protections in a piecemeal fashion.

Bend has changed substantially since 1988, and its growth as a recreation hotspot has thrown scenic waterway protections and recreational trail goals into a wrestling match. A number of structures are plainly visible from the river in the River Community segment, since this river category allows limited development in view of the river. Based on a review of the intent of scenic waterways, the lack of community agreement on priorities in this specific corridor, and the evident need for regional trail connections, staff recommend **closing rulemaking**—leaving the rule as currently written—and **opening a new, broader rule review**. Specifically, we recommend the Commission direct staff to establish a study group with citizen, organizational, and government representatives to **study the entire South Bend River Community segment** inside the UGB to a) propose any needed updated rules within the segment, and b) examine and propose adjustments to the boundary between this segment and the adjacent Scenic River

segment, all while accounting for growth in the area since 1988. The intent is to ensure the rules reflect sustainable community and state priorities for scenic protection and trails development, among other issues.

Prior Action by Commission: Open Upper Deschutes rulemaking, Item 11d, Sept. 2015.

Action Requested: Close rulemaking without amending rule, establish formal study of entire South Bend River Community segment.

Attachments: a full staff report and current text of the rule.

Prepared by: Chris Havel



Upper Deschutes Scenic Waterway rule amendment request

Staff findings final draft 20160201

Request from the Bend Park and Recreation District: Remove outright prohibition on bridges across the lower two segments of the Upper Deschutes and insert language that would permit bike/ped crossings between river miles 171 and 174.6 to facilitate a southward expansion of the Deschutes River Trail.

Question: Should rules protecting the Upper Deschutes River State Scenic Waterway be amended to allow limited development that is currently prohibited, or not amended at all?

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A. *Issues:*

1. **Scenic waterways accommodate bank recreation** as long as it’s compatible with existing scenic, fish, wildlife, geological, botanical, historic, archaeologic, and outdoor recreation values of a waterway (Oregon Revised Statute 390.815). By their nature, scenic waterways generally strive to limit changes that detract from the view, and suppress fish and wildlife values, since these are the “highest and best uses of the *waters* within scenic waterways” (emphasis added, Oregon Revised Statute 390.835). The program also aims for practicality, and recognizes that not every part of every waterway enters the system with the same characteristics. Six classifications, ranging from the most pristine (**Natural River**) to the most influenced by human activity (**River Community**), provide a spectrum of protections from the most stringent to the loosest, respectively. In between these two are four other classifications which take the middle-ground: Accessible Natural, Scenic River, Natural Scenic River, and Recreational River, arranged here from somewhat stringent to somewhat permissive.

General language in scenic waterways say this about construction:

“new structures, buildings, or other improvements on related adjacent lands which can be seen from the waters within a scenic waterway shall [b]e located in such a way that topography and natural vegetation make them as inconspicuous as reasonably practicable, and in no case obtruding on the view from the river.” OAR 736-040-0035 (7)(b)

These general rules are not the final word, however. After a scenic waterway is designated, general rules based on one of the six classifications are applied to each segment of the river, and then the rules are tailored by adding additional protections based on local input. These customizations are considered and adopted to protect each scenic waterway taken as a whole; they occasionally blur the traditional lines between classifications. A looser, more permissive classification may borrow tighter rules from a more stringent classification in order to protect a key quality of a waterway segment.

In the case of the Upper Deschutes River State Scenic Waterway, specific language prohibiting crossings was inserted into the **River Community** segment during public rulemaking in the 1990s, though this classification is the only one that normally allows a crossing (as long as it meets other standards written into general scenic waterway rules). The same prohibition was set for the adjacent **Scenic River** classification of the same waterway, though the standard rule language for that classification already makes it clear new crossings do not meet scenic waterway standards.

2. Land owners within a quarter mile of a scenic waterway notify the department when they plan activities that could affect the view, or fish and wildlife resources, or other essential characteristics. These activities usually include construction, or changes to vegetation (such as removing trees). OPRD staff review the proposed change and compare it to the rules for that portion of the waterway. If, according to those rules, the proposed activity would substantially affect the view or scenic waterway attributes, they work collaboratively with the land owner to modify the proposal -- by changing project location, materials, or adding screening, as examples - - to protect values of the waterway. When staff and the land owner reach agreement, the department issues a written approval expressing any conditions. In those very rare instances when they do not agree on conditions, the request is denied. Land owners may still proceed with their original proposal after a one year waiting period, though there may be other local or state requirements that could prevent a project from proceeding.
3. The rule text prohibiting crossings in both the **River Community** and **Scenic River** classifications of the Upper Deschutes appears to be **specific and intentional**, but was adopted 30 years ago. The river management plan, an interagency document that explains the strategy used to manage the state and federal scenic portions of the river, says this about the River Community segment in particular to explain why it is more restrictive than similar segments on other state scenic waterways: *"Allow development that is compatible with Deschutes County and City of Bend land use planning and zoning ordinances and ensure that any new developments are unobtrusive."* The plain language meaning of the word "unobtrusive" is: "inconspicuous, unassertive, or unnoticeable."

Scenic waterway regulations allow, by design, some change over time. OPRD staff and local land use authorities have not always worked tightly together, and some changes that should have been subject to scenic waterways review have slipped through unnoticed, and the scenery ends up changing for the worse, albeit at a much slower rate than would otherwise occur. In spite of these

aspects of the system, state scenic waterways appear to have *largely* retained their character-defining attributes. After 30-40+ years of protection, the law has shielded many waterways, including the Upper Deschutes, from a substantial portion of supposedly inevitable development pressures. Even so, structures visible from the river along the portions of the Deschutes River covered by this rule amendment request. The River Community classification, as the most permissive category, allows for this fact. The department has approved 175 permits for different changes along the entire Upper Deschutes State Scenic Waterway, from Wickiup Reservoir to Bend, though some other changes may have occurred without a review.

Preserving the beauty of Oregon's best rivers and lakes is just one among several outdoor recreation goals, however.

4. **The State Trails plan** highlights the need for long trail connections from communities to rural areas. The 2005-2014 Oregon Trails Plan statement for this region reads: *“Need to develop and extend a regional trails system. The system should connect urban parks and open space, including connections to recreational opportunities on outlying public lands.”*
5. **Oregon’s outdoor recreation trail goal** is set in statute (Oregon Revised Statute 390.956) and reads: *“In order to provide for the ever-increasing outdoor recreation needs of an expanding resident and tourist population and in order to promote public access to, travel within and enjoyment and appreciation of, the open-air, outdoor areas of Oregon, trails should be established both near the urban areas of this state and within, adjacent to or connecting highly scenic areas more remotely located.”*

Both the State Trails Plan and statutory policy clearly emphasize the need for trails that bridge the gap between where people live (mostly in urban areas) and where people like to enjoy natural outdoor experiences (mostly on rural, or on the rural-urban fringe). The Bend Park and Recreation District, with support from the Bend community through a successful bond effort at the ballot box, intends to connect the Bend urban area to federal recreation properties south of town by extending the Deschutes River Trail. One route, arguably the most direct and best-supported of several options considered by an ad-hoc citizen advisory group convened by the district, requires a new bicycle/pedestrian bridge across the Deschutes River. Other options cross the river just downstream from the scenic waterway, and this less direct route requires connecting trails through mostly urban or roaded areas.

The state scenic waterway statute, state trails plan, and general state outdoor recreation goal do not include guidance on setting priorities when these different policies collide. Instead, department staff are left to imagine different futures where decisions made today favor first one program, then another, and try to choose the door which leads to the most acceptable choice ... one that provides the *best recreation experiences*, in the *highest quality outdoor resource* setting possible, over the *longest period of time*. Staff create the imaginary futures behind each door by considering public input, information submitted by the Bend Park and Recreation District, and its own experience administering both trails and scenic waterways.

6. **Public supporters** for amending the rule state the need for recreational trail access in an area currently closed by private land ownership. They support increased access to federal recreation land on the rural-urban boundary, something a regional trail network would provide, and point to the fact a bicycle/pedestrian bridge is not as obtrusive as a vehicle crossing. A direct trail through a beautiful area will receive more use than an indirect trail through a less attractive area.
7. **Public opponents** to amending the rule cite possible undesirable effects on private property and natural resources caused by an extension of the trail and crossing of the river, a decrease in the level of long-standing scenic waterway protections for the lower portion of the river, and the disadvantages of a piecemeal approach to changing scenic waterway rules on the Upper Deschutes. Comments against the amendment also expressed concern for possible harm to fish and wildlife from increased use and structures in the riparian area.
8. **The Bend Park and Recreation District** considered several options to extend the Deschutes River Trail south, and apparently selected the one that provides the most direct, pleasing trail experience through a stretch of the river that has already been partially affected by development pressures. The district feels including an outright prohibition on crossings, especially in a **River Community** scenic waterway classification that might otherwise allow them, no longer makes sense where urban growth has already affected the river in spots, and is inconsistent with standard River Community limits. The Deschutes River Trail, on the other hand, has current support through a voter-approved bond measure to fund improvements.

B. Options considered by Oregon Parks and Recreation Department staff:

1. **Adopt change exactly as requested, from river mile 171 to 174.6.**
What it supports: Local and regional trail users and state trail recreation goals without compromise.
What it doesn't support: Overall state scenic waterway goals, and specific local intentions to protect the Upper Deschutes against conspicuous development. Introduces a new contradiction by expressly permitting crossings in the **Scenic River** portion of the Upper Deschutes waterway. New crossings of this type are not allowed on other **Scenic River** classifications elsewhere in the state.
2. **Adopt the requested change only in the River Community area (river mile 171 to 172).**
What it supports: Mostly supports trail use, but removes some crossing options considered by the Bend Park and Recreation District by focusing development in the most urban section of the scenic waterway.
What it doesn't support: Same as 1 above, plus it creates a potential inequity, since current and past residents have lived under a tighter standard in this stretch, even if those rules have been enforced imperfectly in the past. Sets aside intentional local scenic waterway protections, developed as part of a larger management system for the Upper Deschutes. May encourage development in an area where natural resources would be harmed (in contravention of scenic waterway goals).

3. **Remove text prohibiting crossings for the *River Community* area, but do not insert new language.**

What it supports: Same as 2, above.

What it doesn't support: Same as 2, above, except that it leaves the state's intent unclear and advertises the door is wide open to permit crossings of other sorts as long as they meet scenic waterway standards. However, current landowners can construct crossings now, even with the prohibition in place, assuming they can obtain permission from local land use authorities without a scenic waterway approval in hand.

4. **Leave the rule unchanged.**

What it supports: Scenic waterway goals in their entirety (scenery, recreation, fish, wildlife).

What it doesn't support: May reduce options to connect a regional trail to adjacent federal recreation lands south of Bend. Forces any trail through a less appealing urban setting, possibly leading to less use by hikers and bicyclists. This option shows softer support for the needs expressed in state trails plan and Oregon's general outdoor recreation goals. A crossing may still occur if a land owner submitting a scenic waterway notification waits a year after their proposal is denied (assuming they receive other necessary local building permits).

5. **Leave the rule unchanged and restart the amendment process with a rules advisory committee, looking at all the rules covering the *River Community* segment of the Upper Deschutes State Scenic Waterway.**

What it supports: Comprehensively support state scenic waterway goals and *may* support completion of a regional trail. The outcome is unclear—explicit prohibitions on crossings might change, become more strict, or be dropped, depending on input from public land managers, tribes, and local residents and their governments. Very few **River Community** river segments prohibit crossings. Since this classification is by its very nature the most urban, it is worthwhile to have a new public conversation about the purpose of scenic waterway protections from river mile 171 to 172. The original management plan written in the mid-90s needs to be updated to balance competing community and state needs, but taking into full account the way this section has already been developed.

The adjacent **Scenic River** river classification doesn't generally allow new crossings by default, and loosening those restrictions would introduce a new inconsistency in the state scenic waterway system, expressly permitting a higher level of development for the Upper Deschutes than is generally allowed on other state scenic waterways protected by this classification. This option, therefore, does not include a study of rules in the **Scenic River** segment, but it should include a study of the location of the boundary between **Scenic River** and **River Community** segments.

Under this option, the rules advisory committee would include resident and organizational members, and consult with the original river management plan team of agencies.

What it doesn't support: Timely decision-making (a review of the River Community segment rules could take up to a year).

C. Discussion

1. Scenic waterway rules—both the general kind, and the tailored rules written for each waterway—are intended as a bulwark against the normal trend. Scenic Waterways do not turn back the clock and restore rivers and lakes, but they are supposed to arrest the rate of change. Bend, for instance, has quadrupled its population since the Upper Deschutes State Scenic waterway was designated. In that time, without a scenic waterway in place, it's likely the **River Community** segment of the Upper Deschutes State Scenic Waterway, which is within the Urban Growth Boundary, would look very different. Some construction within a quarter mile of the river is visible and may detract from the view from the river; the River Community classification allows for limited development, softening the blow rather than stopping it outright, so some change in the quality of the view is inevitable. The point is, there are probably far fewer buildings visible from there river than there would have been without a scenic waterway in place.
2. Pursuing trail goals first, and placing scenic waterway goals second, could accelerate the rate of visible change on the Upper Deschutes and call into question the strength and durability of a scenic waterway designation statewide. Adopting a single rule change without considering the **River Community** segment as a whole, and its relationship to the entire scenic waterway, would not address the fact the river has already changed, and community needs may have changed with it.
3. Public comment shows a division in Bend's attitudes toward management of the resource. Private property owners who have lived under the umbrella of scenic waterway restrictions have both benefited from and paid the cost of these protections, and are vocal about leaving the rule intact, perhaps partially out of self-interest, but partially out of an vested interest in protecting river scenery. People who were involved in establishing the waterway, or appreciate the comprehensive approach to planning river management, are concerned about the unforeseen effects of relaxing one part of one rule. The Bend Park and Recreation District has a mandate to serve the local population's needs now, and support through the ballot box to do so. Bringing these interests together to forge a common understanding of Bend's relationship with the Upper Deschutes State Scenic Waterway is beyond the scope of this rule amendment review, but is the approach most likely to produce a fruitful outcome.
4. Trails remain a critical need statewide and regionally. The precarious intersection between trails, scenic waterways, property rights along the river, and recreation needs of a community would be best addressed for the urbanized stretch of the Upper Deschutes through a more comprehensive, inclusive review of the **River Community** segment.

D. Finding:

1. The statutes establishing and explaining the intent of the state scenic waterway system, and the local effort to tailor these protections to the needs of each waterway, are compelling. Changing one aspect of the waterway rules to serve one, current need, could unintentionally set the scenic waterway on a new course toward even more development. Options 1, 2, and 3 do not serve the long-term state and local interest in protecting scenic rivers.
2. A well-designed trail connecting the urban core with rural outdoor recreation is a high priority for the community. Rather than totally favor one goal (scenic waterways) and obstruct another (regional trails), the community and state should find a way to strike a balance between the two. Option 4 does not serve the local and state interest in creating connection regional bicycle and pedestrian trails.
3. The urban stretch of the river has already changed, even with scenic waterway rules on the books, and a total review of the **River Community** area will create a more realistic, enforceable set of rules going forward.
4. Staff recommend **Option 5: Establish a rules advisory committee to study and recommend changes to the River Community segment** necessary to protect the river going forward and balance the community's and state's scenic waterway and trail development needs. This should include a holistic look at all the **River Community** segment's rules, and the boundary between this segment and the adjacent Scenic River classification.



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September 9, 2015

Oregon Parks and Recreation Department
MG Devereux, Deputy Director
725 Summer St. N.E., Suite C
Salem, OR 97301

SUBJECT: Request to Amend OAR 736-040-0073

Mr. Devereux,

The Bend Park and Recreation District (BPRD) is requesting that the Parks Commission initiate the process to amend Oregon Administrative Rule 736-040-0073 pertaining to State Scenic Waterways, and more particularly section 0073 that discusses *Scenic River Area* and *River Community Area* requirements.

BPRD has been working on planning for a new bicycle/pedestrian footbridge that would cross the Deschutes River either within the River Community Area designation located inside the Bend Urban Growth Boundary (UGB) or outside of the UGB within the Scenic River Area. The primary purpose of the bridge is to fill a gap in the Deschutes River Trail which extends approximately 33 miles between the communities of Tumalo and Sunriver (via Bend), and also provide non-vehicular access for southeast area Bend residents to be able to reach USFS recreational lands and trails that are located on the west side of the Deschutes River. The only alternative crossings open to bicycle use are the Bill Healy Bridge, approximately 3 river-miles downstream, or the bridge at Benham Falls which is approximately 9 river-miles upstream. The need for a new bridge in this general location has been incorporated within local planning documents since 1995 and it will provide an important Deschutes River Trail connection.

New bridges of any type are currently prohibited in these two sections of river classification, and interestingly enough, these prohibitions on new bridges apply to only one other river segment in the entire state. The federal Wild and Scenic River designation on the Upper Deschutes River ends at the Bend UGB and therefore overlaps the State Scenic River Area. However, this portion of the federal Wild and Scenic River designation does not contain a bridge prohibition.

We feel strongly that whatever the original intent of the language was, the result is an undesirable exclusion of non-motorized bicycle and pedestrian bridges. Therefore we are asking the Commission to begin a text amendment process and hold the appropriate public hearings whereby the text can be modified to allow for the installation of bicycle and pedestrian bridges and crossings over these segments of river. We suggest that the text amendment applies to the River Community Area of the Upper Deschutes River (Bend UGB to River Mile 171), and only that portion of Scenic River Area of the Upper Deschutes River extending upstream from the



National Gold Medal Award Winner



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Bend UGB to the end of the urbanized area at the Arnold Irrigation District intake at approximately River Mile 174.6. The suggested text amendments and a vicinity map are attached for reference.

Thank you,

Don P. Horton
Executive Director
Bend Park and Recreation District

Attachments:

- A: Draft Text Amendments
- B: Vicinity Map



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Exhibit A

OAR 736-040-0073 *(Proposed Text Edits)*

(1) Scenic River Areas:

(a) Two river segments are designated as Scenic River Areas:

(B) The segment of the scenic waterway extending from the Deschutes National Forest boundary in Section 20, Township 19 South, Range 11 East, of the Willamette Meridian, (Section 20, T 19S, R 11E, W.M.) to the Bend Urban Growth Boundary at River Mile 172 is classified as a Scenic River Area.

(b) Within the Scenic River Areas described in subsection (1)(a), all new structures, improvements and development shall comply with the Land Management Rules as described in OAR 736-040-0035, with the intent of the classification description in OAR 736-040-0040(1)(b)(B) and be consistent with applicable Deschutes County land use and development regulations;

(c) New structures and improvements shall be set back a minimum of 100 feet from the ordinary high water line of the river and a minimum of 20 feet from the edge of the rim rock (where this feature exists). The Department will determine the exact distance for the above setbacks on a case-by-case basis, dependent on existing terrain, existing vegetation, height of proposed structures, and applicable county setback requirements;

(d) New structures shall be finished in colors and tones that blend with the surrounding landscape. For the purposes of this rule, landscape includes indigenous vegetation, soils and rock material. Natural evergreen vegetation shall be maintained between the structures and improvements and the river. The establishment of additional vegetative screening (native vegetation) may be required to further mitigate the visual impact of the structures and improvements as seen from the river;

(e) New bridges will not be permitted [except for that segment of river between the irrigation canal intake at River Mile 174.6 and the Bend Urban Growth Boundary at River Mile 172, in which bicycle and/or pedestrian bridges only are permitted. The installation of any new bicycle and /or pedestrian bridges, as well as](#) maintenance, repair and replacement of existing bridges, shall be consistent with OAR 736-040-0035(6) and (7), Deschutes County land use and development regulations, and Oregon Department of State Lands regulations;

(f) New commercial public service facilities, including but not limited to resorts, hotels, motels, lodges, recreational vehicle parks, convenience stores and gas stations, shall be obscured from view from the river by topography;

(g) New utility facilities shall share land and air space with existing utilities, road rights-of-way and/or river crossings. Upgrades to existing facilities will be permitted. New, above ground river crossings for new utility facilities will not be permitted;

(h) New, above ground river crossings shall not be permitted [except as described in \(e\) above](#);

Exhibit A

(i) Roads, mines and similar forms of development shall be obscured from view from the river by topography;

(j) Improvements needed for public outdoor recreation use or resource protection shall be designed to blend with the natural character of the landscape;

(k) Timber harvest activities, including thinning, shall not be visually evident after completion of the removal of the trees as viewed from the river, from developed recreation sites, or from trails adjacent to the river. Stumps shall be cut low, slash cleaned up promptly, and the remaining trees and brush protected. Reforestation shall occur within one year of the project's completion. The provisions of the Oregon Department of Forestry forest practices rules shall be strictly followed.

(2) River Community Areas:

(D) Those related adjacent lands within the City of Bend Urban Growth Boundary beginning at about river mile 172 and extending downstream approximately one mile to the Central Oregon Irrigation diversion at about river mile 171 is classified as the South Bend River Community Area.

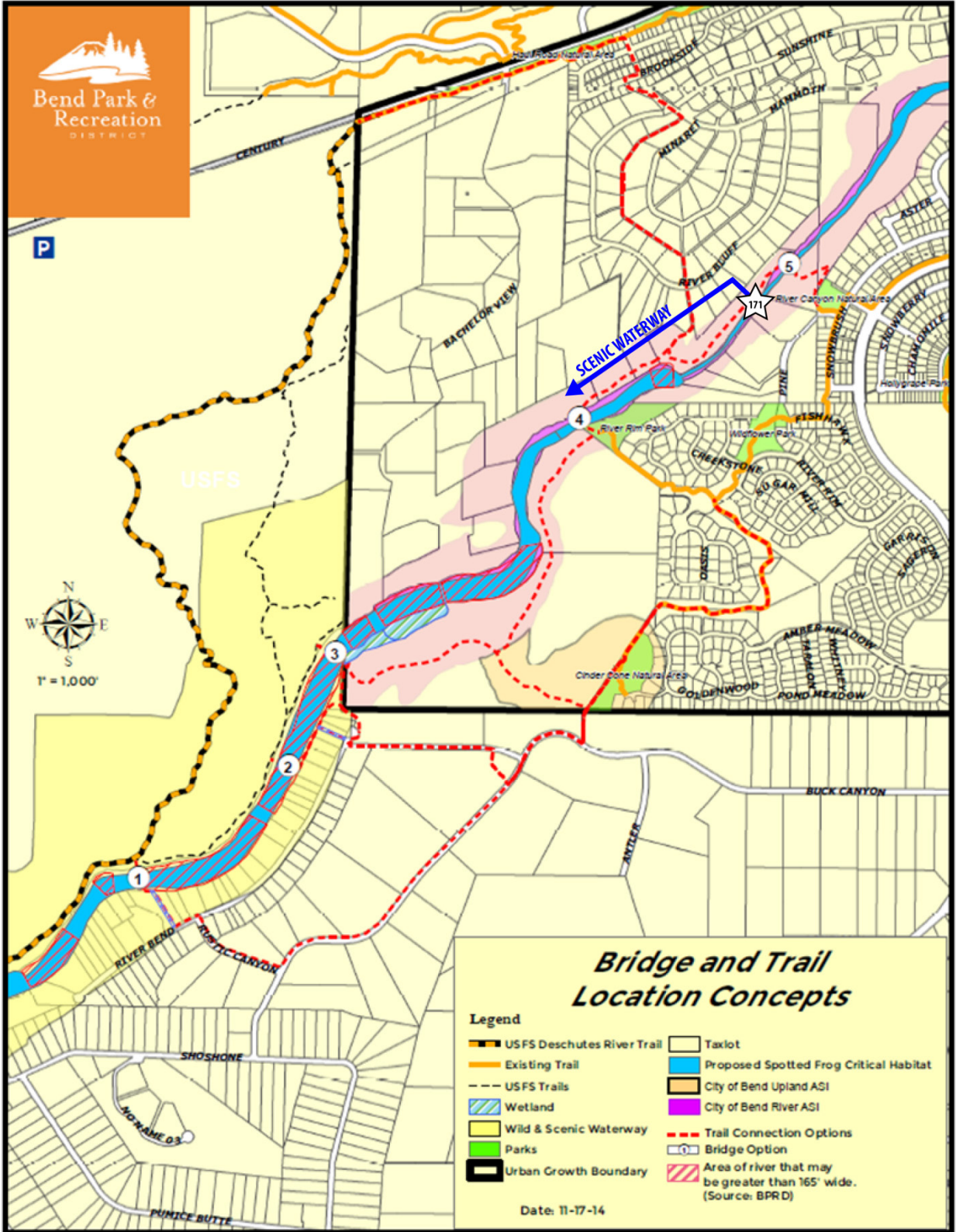
(b) Within the River Community Areas described in subsection (2)(a), all new structures, improvements and development shall be in compliance with the Land Management Rules as described in OAR 736-040-0035, with the intent of the classification description in OAR 736-040-0040(1)(f), and be consistent with applicable City of Bend and Deschutes County land use and development regulations;

(c) New structures and improvements shall be set back a minimum of 100 feet from the ordinary high water line of the river and a minimum of 20 feet from the edge of the rim rock (where this feature exists). The Department will determine the exact distance for the above setbacks on a case-by-case basis, dependent on existing terrain, existing vegetation, height of proposed structure, and applicable county setback requirements;

(d) New structures and improvements shall be finished in colors and tones that blend with the surrounding landscape. For the purpose of this rule, landscape includes indigenous vegetation, soils and rock material;

(e) Natural evergreen vegetation shall be maintained between the structures and improvements and the river. Additional vegetative screening may be required to be established and maintained;

(f) Except for bicycle and/or pedestrian bridges, no new bridges will be permitted. The installation of any new bicycle and/or pedestrian bridges, as well as maintenance, repair and replacement of existing bridges shall be consistent with OAR 736-040-0035(6) and (7), Deschutes County and City of Bend land use and development regulations, and Oregon Department of State Lands regulations;



Written comments were collected during a formal public comment period from October 1, 2015 through 5 p.m., November 20, 2015:

- In favor: <http://www.oregon.gov/OPRD/docs/deschutes-sww-pro-final-20151120.pdf>
- Not in favor: <http://www.oregon.gov/OPRD/docs/deschutes-sww-con-final-20151120.pdf>
- Other: <http://www.oregon.gov/OPRD/docs/deschutes-sww-fence-final-20151120.pdf>

Several written comments were received after the comment period ended and are not included in these reports.

Oral testimony was also accepted at a public hearing October 28, 2015 in Bend:

<http://www.oregon.gov/OPRD/docs/deschutes-sww-hearing-20151028-edited.mp3>

... and November 18, 2015 business meeting of the Oregon State Parks and Recreation Commission in Hood River:

<http://www.oregon.gov/OPRD/docs/deschutes-sww-commission-20151118.mp3>

Agenda Item 11 a – Attachment B – Upper Deschutes State Scenic Waterway rule amendment request

736-040-0073

Upper Deschutes River Scenic Waterway

(1) Scenic River Areas:

(a) Two river segments are designated as Scenic River Areas:

(A) The segment of the scenic waterway beginning at the Wickiup Dam stream gauge at about river mile 226.4 and extending downstream about 28 miles to the General Patch Bridge (Deschutes County Road — FAS 793) at about river mile 199 with the exception of the Wickiup (about river mile 226.4 to about river mile 224.5), Pringle Falls (about river mile 217.5 to about river mile 216.5) and General Patch Bridge (about river mile 204 to about river mile 199) River Community Areas as described in paragraphs (2)(a)(A), (B), and (C) of this rule is classified as a Scenic River area;

(B) The segment of the scenic waterway extending from the Deschutes National Forest boundary in Section 20, Township 19 South, Range 11 East, of the Willamette Meridian, (Section 20, T 19S, R 11E, W.M.) to the Bend Urban Growth Boundary at River Mile 172 is classified as a Scenic River Area.

(b) Within the Scenic River Areas described in subsection (1)(a), all new structures, improvements and development shall comply with the Land Management Rules as described in OAR 736-040-0035, with the intent of the classification description in OAR 736-040-0040(1)(b)(B) and be consistent with applicable Deschutes County land use and development regulations;

(c) New structures and improvements shall be set back a minimum of 100 feet from the ordinary high water line of the river and a minimum of 20 feet from the edge of the rim rock (where this feature exists). The Department will determine the exact distance for the above setbacks on a case-by-case basis, dependent on existing terrain, existing vegetation, height of proposed structures, and applicable county setback requirements;

(d) New structures shall be finished in colors and tones that blend with the surrounding landscape. For the purposes of this rule, landscape includes indigenous vegetation, soils and rock material. Natural evergreen vegetation shall be maintained between the structures and improvements and the river. The establishment of additional vegetative screening (native vegetation) may be required to further mitigate the visual impact of the structures and improvements as seen from the river;

- (e) New bridges will not be permitted. Maintenance, repair and replacement of existing bridges shall be consistent with OAR 736-040-0035(6) and (7), Deschutes County land use and development regulations, and Oregon Department of State Lands regulations;
- (f) New commercial public service facilities, including but not limited to resorts, hotels, motels, lodges, recreational vehicle parks, convenience stores and gas stations, shall be obscured from view from the river by topography;
- (g) New utility facilities shall share land and air space with existing utilities, road rights-of-way and/or river crossings. Upgrades to existing facilities will be permitted. New, above ground river crossings for new utility facilities will not be permitted;
- (h) New, above ground river crossings shall not be permitted;
- (i) Roads, mines and similar forms of development shall be obscured from view from the river by topography;
- (j) Improvements needed for public outdoor recreation use or resource protection shall be designed to blend with the natural character of the landscape;
- (k) Timber harvest activities, including thinning, shall not be visually evident after completion of the removal of the trees as viewed from the river, from developed recreation sites, or from trails adjacent to the river. Stumps shall be cut low, slash cleaned up promptly, and the remaining trees and brush protected. Reforestation shall occur within one year of the project's completion. The provisions of the Oregon Department of Forestry forest practices rules shall be strictly followed.

(2) River Community Areas:

- (a) Four areas are designated as River Community Areas:

- (A) Those related adjacent lands made up of the residential tract of homes, cabins and similar dwellings along the river extending downstream of the Wickiup Dam stream gauge at about river mile 226.4 approximately two miles to about river mile 224.5 is classified as the Wickiup River Community Area;

- (B) Those related adjacent lands made up of residential tracts along the river at approximately river mile 217.5 (known as Pringle Falls) within the northeast quarter of Section 23, Township 21 South, Range 9 East, of the Willamette Meridian (NE 1/4 Section 23, T 21S, R 9E, W.M.), extending downstream approximately seven-tenths of a mile (0.7) to approximately river mile 216.8 is classified as the Pringle Falls River Community Area;

(C) Those related adjacent lands within platted residential tracts known as Oregon Water Wonderland Unit 1, River Forest Acres and Deschutes River Homesites, Unit 8 Part 1 and Unit 6 situated along the river extending downstream approximately five miles from about river mile 204 to about river mile 199 or the General Patch Bridge (Deschutes County Road — FAS 793) is classified as the General Patch Bridge River Community Area;

(D) Those related adjacent lands within the City of Bend Urban Growth Boundary beginning at about river mile 172 and extending downstream approximately one mile to the Central Oregon Irrigation diversion at about river mile 171 is classified as the South Bend River Community Area.

(b) Within the River Community Areas described in subsection (2)(a), all new structures, improvements and development shall be in compliance with the Land Management Rules as described in OAR 736-040-0035, with the intent of the classification description in OAR 736-040-0040(1)(f), and be consistent with applicable City of Bend and Deschutes County land use and development regulations;

(c) New structures and improvements shall be set back a minimum of 100 feet from the ordinary high water line of the river and a minimum of 20 feet from the edge of the rim rock (where this feature exists). The Department will determine the exact distance for the above setbacks on a case-by-case basis, dependent on existing terrain, existing vegetation, height of proposed structure, and applicable county setback requirements;

(d) New structures and improvements shall be finished in colors and tones that blend with the surrounding landscape. For the purpose of this rule, landscape includes indigenous vegetation, soils and rock material;

(e) Natural evergreen vegetation shall be maintained between the structures and improvements and the river. Additional vegetative screening may be required to be established and maintained;

(f) New bridges will not be permitted. Maintenance, repair and replacement of existing bridges shall be consistent with OAR 736-040-0035(6) and (7), Deschutes County and City of Bend land use and development regulations, and Oregon Department of State Lands regulations;

(g) New utility facilities shall share land and air space with existing utilities, road rights-of-way and/or river crossings. Upgrades to existing utility facilities will be permitted. New river crossings for new utility facilities will not be permitted;

(h) New, above ground river crossing will not be permitted;

(i) New commercial public service facilities, including but not limited to resorts, hotels, motels, lodges, recreational vehicle parks, convenience stores and gas stations shall be screened from view from the river by topography and/or evergreen vegetation;

(j) Improvements needed for public outdoor recreation use or resource protection shall be designed to blend with the natural character of the landscape;

(k) Timber harvest activities, including thinning, shall be screened by topography or vegetation when seen from the river, developed recreation sites within scenic waterways, and trails adjacent to the river. Riparian vegetation shall be protected. Stumps shall be kept low, slash cleaned up promptly and remaining trees and brush protected from damage during harvest. Reforestation shall occur within one year of completion of harvest.

(3) Recreational River Area:

(a) One river segment shall be designated as a Recreational River Area:

(b) The segment of the scenic waterway beginning at Harper Bridge (Deschutes County Road — FAS 900) at approximately river mile 190.6 and extending downstream approximately five miles to the point at which the river intersects the Deschutes National Forest boundary in Section 20, Township 19 South, Range 11 East, of the Willamette Meridian, (Section 20, T 19S, R 11E, W.M.), at approximately river mile 184.8 is classified as a Recreational River Area;

(c) Within these areas, all new structures, improvements and development shall comply with the Land Management Rules as described in OAR 736-040-0035, with the intent of the classification description in OAR 736-040-0040(1)(c)(B), and be consistent with applicable Deschutes County land use and development regulations;

(d) New structures and improvements shall be set back a minimum of 100 feet from the ordinary high water line of the river and set back a minimum of 20 feet from the edge of the rim rock (where this feature exists). The Department will determine the exact distance for the above setbacks on a case-by-case basis, dependent on existing terrain, existing vegetation, height of proposed structure, and applicable county setback requirements;

(e) New structures shall be finished in colors and tones that blend with the surrounding landscape. For the purpose of this rule, landscape includes indigenous vegetation, soils and rock material;

(f) Natural evergreen vegetation shall be maintained between the structures and improvements and the river. The establishment of additional vegetative screening (native vegetation) may be required to further mitigate the visual impact of the structure as seen from the river;

- (g) Roads, mines and similar forms of development shall be set back from the river consistent with county zoning and land development requirements and be screened from view from the river by topography, or by existing or established evergreen vegetation;
- (h) New bridges will not be permitted. Maintenance, repair and replacement of existing bridges shall be consistent with OAR 736-040-0035(6) and (7), Deschutes County land use and development regulations and Oregon Department of State Lands regulations;
- (i) New commercial public service facilities, including but not limited to resorts, hotels, motels, lodges, recreational vehicle parks, convenience stores and gas stations shall be screened from view from the river by topography;
- (j) New utility facilities shall share land and air space with existing utilities, road rights-of-way and/or river crossings. Upgrades to existing utility facilities will be permitted. New river crossings for new utility facilities will not be permitted;
- (k) New, above ground river crossings will not be permitted;
- (l) Improvements needed for public outdoor recreation use or resource protection shall be designed to blend with the natural character of the landscape;
- (m) Timber harvest activities, including thinning, shall be screened by topography or vegetation when seen from the river, developed recreation sites with the scenic waterway, and trails adjacent to the river. Riparian areas shall be protected. Stumps shall be kept low, slash removed promptly and remaining trees and brush protected from damage during harvest. Reforestation shall occur within one year of completion of harvest. The provisions of the Oregon Department of Forestry forest practices rules shall be strictly followed.

Stat. Auth.: ORS 390.845(2)

Stats. Implemented: ORS 390.845(2)

Hist.: PR 2-1988, f. & cert. ef. 3-25-88; PR 15-1992, f. & cert. ef. 11-12-92; PR 8-1994, f. & cert. ef. 7-11-94; PR 10-1996, f. & cert. ef. 10-9-96; Renumbered from 736-040-0079; PRD 6-2008, f. & cert. ef. 5-15-08

Oregon Parks and Recreation Commission

February 24, 2016

Agenda Item:	11b	Action
Topic:	Request to adopt OAR 736-015, Fee Waiver Amendments	
Presented by:	Claudia Ciobanu and Richard Walkoski	

Background:

At the February 11, 2015 OPRD Commission meeting, approval was given to begin rulemaking in division 15 to review and revise reservation procedures with the goal of improving customer service and streamlining operations at the call center. Due to the complexity of the rules in division 15, and to improve the opportunity to better connect with affected customers, OPRD opted to revise the rules in several smaller rulemaking actions rather than one revision that would cover the entire division. This is the second revision to division 15 since February 11, 2015 and covers the Special Access Pass Program. The proposed changes increase program accountability and make it easier for users to access their benefit.

The Special Access Pass Program provides fee waivers to disabled veterans and foster families. Disabled veterans are the major users of the program, so the rule review process started with an external advisory committee meeting to identify what works well with the program and what might need to be changed. Our advisory committee included current program users, veteran benefits advocates, representatives of the Oregon Department of Veterans Affairs, and Mac MacDonald, the original sponsor of the Veterans waiver legislation.

Using the input from the advisory committee and OPRD staff recommendations, revisions were proposed and public comments were accepted in November and December. Six public hearings were also scheduled in the cities where most program users reside. A complete summary of the comments and the process to solicit those comments is included in Attachment C. In short, there were 28 e-mail comments, 23 of which supported the revisions. The other five comments did not support or oppose the revisions, but they offered additional suggestions. No one attended any of the six scheduled public hearings, most likely because the proposed revisions represent customer service improvements and users tend to attend public hearings when they disagree with the department's proposed actions.

Based on comments received during the public comment period, work with the advisory committee and comments from OPRD staff, the proposed revisions seem to improve the program and be acceptable to users. The ODVA has offered to help get the word out if the rules are revised, and since the changes are not major, implementation should be pretty straight forward. These changes will be implemented immediately, once Commission approval has been received.

Prior Action by Commission: Approval to begin rulemaking at the February 2015 meeting.

Action Requested: Staff requests the commission approve the revisions to OAR 736-015-0035 included in Attachment A (markup) and Attachment B (clean). These revisions have been reviewed by Assistant Attorney General Steve Shipsey and the revised rules included in Attachments A & B incorporate his comments.

Attachments: Attachment A – reservation rule revisions (marked copy)
Attachment B – reservation rule revisions (clean copy)
Attachment C – public comment summary
Attachment D – e-mail comments received.

Prepared by: Richard Walkoski

736-015-0035

Fee Waivers and Refunds

(1) The director, at the direction of the commission, may waive, reduce or exempt fees established in this division under the following conditions:

(a) A person or group provides in-kind services or materials equal to or greater than the value of the applicable rate, as determined by criteria approved by the director;

(b) Marketing or promotional considerations, including but not limited to special events and commercial filming, that promote the use of park areas and Oregon tourism;

(c) Traditional tribal activities in accordance with policy adopted by the Commission;

(d) Reduced service levels at a park, campsite or other facility as determined by the Park Manager.

(2) Reservation Facility Deposit Fee Waivers for individual primitive, tent, electric, full hook-up or horse camp campsites only:

(a) The facility deposit fee is waived for all persons with reservations commencing on State Parks Day (first Saturday of June). All other fees apply.

(b) The facility deposit fee is waived for foster families and adoptive foster families as defined in OAR 736-015-0006. The fee waiver is limited to the first two campsites, and an adult care provider must be present with the foster children. All other fees apply.

(c) The facility deposit fee is waived for U. S. veterans with a service connected disability or active duty U. S. military personnel as provided in ORS 390.124. All other fees apply.

(d) The person making the reservation must pay the \$8 non-refundable transaction fee at the time the reservation is made. This fee is not included in the fee waiver.

~~(e) Reservations made on the Internet are not eligible for fee waivers.~~

(3) Overnight Rental Fee Waivers for individual primitive, tent, electric, full hook-up or horse camp campsites only:

(a) The overnight rental fee, including any extra vehicle fees, is waived for all persons on the night of State Parks Day (first Saturday of June). All other fees apply.

(b) The overnight rental fee is waived for foster families and adoptive foster families as defined in OAR 736-015-0006. The fee waiver is limited to the first two campsites, and an adult care provider with one or more foster children must be present. The fee waiver is limited to a total of fourteen days per calendar month. All other fees and rules apply.

(c) The overnight rental fee is waived for U. S. veterans with a service connected disability or active duty U. S. military personnel on leave as provided in ORS 390.124. The waiver of individual campsite fees shall be limited to no more than ~~five consecutive days per stay and no more than~~ ten days total in a calendar month. The qualifying veteran or active duty military personnel on leave must be present in the site to qualify for the waiver. All other fees and rules apply.

(d) The director may waive the overnight rental fee for volunteer hosts traveling to an assignment at a park area.

(4) Day Use Parking Fee Waivers:

(a) The day use parking fee is waived for all persons on State Parks Day (first Saturday of June).

(b) The day use parking fee is waived for U.S. veterans with a service connected disability or active duty U.S. military personnel on leave as provided in ORS 390.124.

(c) The day use parking fee is waived for foster families and adoptive foster families as defined in OAR 736-015-0006~~an adoptive foster family, as defined in OAR 736-015-0006, with an adopted foster child under 18 years of age or a foster family, as defined in 736-015-0006, if the foster care provider has a valid Certificate of Approval to Provide Foster Care in Oregon issued by the Oregon Department of Human Services.~~ The waiver shall be valid until the expiration date of the Certificate of Approval to Provide Foster Care or the adopted foster child turns 18 years of age.

(d) All other fees apply.

(5) At those parks offering showers to non-campers, the shower use fee is waived for individuals with an OPRD Special Access Pass.

(56) Proof of Eligibility for Fee Waivers

(a) The department will issue Veterans and Foster families who have provided the department valid proof of eligibility an OPRD Special Access Pass. Pass holders must use the pass to identify themselves as a qualified recipient of fee waivers at state park campgrounds and day use areas. Proof of eligibility must be provided through an application process outlined on the OPRD web site at www.oregonstateparks.org or by calling the OPRD Information Center at 1-800-551-6949 for instructions.

(b) The department will accept the following forms of proof to qualify for fee waivers as a U.S. veteran with a service connected disability:

(A) Disabled Veteran's license plate issued by the Oregon DMV;

(B) A current Disabled Veteran Permanent Hunting/Angling License issued by the Oregon Department of Fish and Wildlife;

(C) A Washington State Parks Disabled Veteran's ID card;

(D) Any United States Department of veterans Affairs (VA) photo identification card bearing the words "service connected";

(E) Any letter issued by the ~~United States Department of Veterans Affairs (VA)~~ stating eligibility for any of the above programs, or bearing the words "service-connected disability."

(c) The department will accept the following forms of proof to qualify for fee waivers as an adoptive foster family, as defined in OAR 736-015-0006, with an adopted foster child under 18 years of age or a foster family, as defined in OAR 736-015-0006:

(A) Certificate of Approval to Maintain a Foster Home for Children with Developmental Disabilities;

(B) Certificate of Approval to Maintain a Foster Home for Children;

(C) Certificate of Approval to Maintain a Relative Home for Children;

(D) Written certification from Department of Human Services identifying the applicant as an adoptive or guardian foster family.

(d) The department will not issue an Active Duty Military on official leave a Special Access Pass. Such customers must pay any applicable fee and after their visit may request a refund by sending a letter from their commanding officer on official letterhead stating they were on leave for the dates they camped and their camping receipt to Reservations Northwest within 30 days after departure date of the stay. A refund of applicable fees will be sent within three weeks of the receipt of their request.

(7) There will be no charge for issuing a Special Access Pass or renewing an expired pass. There will be a processing fee of \$5.00 for replacement of a lost pass that is still valid.

~~(68)~~ The department may revoke or temporarily suspend an OPRD Special Access Pass issued under section ~~(56)~~ if:

(a) The pass is used to waive fees beyond the monthly allowable limits;

(b) The pass holder does not occupy a site when fees have been waived under authority of their pass; or

(c) The pass holder transfers their pass to another person to use.

(9) Pass holders must cancel their reservation three days prior to arrival to avoid a penalty. Cancellations within the three day period will be charged a penalty equal to one nights facility fee for the type of site reserved.

(10) Pass holders who make a reservation and do not check in at the park or notify park staff that they will be delayed, prior to 1:00 p.m. of the second day of the reservation, will be considered a “no show” and the entire reservation will be cancelled. A penalty equal to one night’s facility fee for the type of site reserved will be charged.

(11) If a pass holder vacates their site one or more days prior to checkout without notifying park staff, any days remaining on the reservation will be counted against their monthly waiver limit.

(712) A person may request a refund under the following circumstances.

(a) Reservations Northwest may refund a reservation fee when the department has made a reservation error.

(b) Reservations Northwest may refund a facility deposit and may waive the cancellation or change rules when requested by the person due to the following emergency situations:

(A) Emergency vehicle repair creates a late arrival or complete reservation cancellation;

(B) A medical emergency or death of a family member creates a late arrival or complete reservation cancellation;

(C) Acts of Nature create dangerous travel conditions; or

(D) Deployment of military or emergency service personnel creates a late arrival or complete reservation cancellation.

(c) The director or his/her designee may approve a refund under other special circumstances.

(d) All requests for refunds ~~listed above~~under this section must be sent in writing to Reservations Northwest via email, fax or surface mail to be considered for a refund.

(e) The department will issue refunds for specific site or park area closures and no written request is required.

(f) The park manager may only issue a refund at the park due to the person leaving earlier than expected, and while the person is present and has signed for the refund. Once the person has left the park, refund requests must be sent to Reservations Northwest for processing.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.111, 390.121 & 390.124

736-015-0035

Fee Waivers and Refunds

(1) The director, at the direction of the commission, may waive, reduce or exempt fees established in this division under the following conditions:

(a) A person or group provides in-kind services or materials equal to or greater than the value of the applicable rate, as determined by criteria approved by the director;

(b) Marketing or promotional considerations, including but not limited to special events and commercial filming, that promote the use of park areas and Oregon tourism;

(c) Traditional tribal activities in accordance with policy adopted by the Commission;

(d) Reduced service levels at a park, campsite or other facility as determined by the Park Manager.

(2) Reservation Facility Deposit Fee Waivers for individual primitive, tent, electric, full hook-up or horse camp campsites only:

(a) The facility deposit fee is waived for all persons with reservations commencing on State Parks Day (first Saturday of June). All other fees apply.

(b) The facility deposit fee is waived for foster families and adoptive foster families as defined in OAR 736-015-0006. The fee waiver is limited to the first two campsites, and an adult care provider must be present with the foster children. All other fees apply.

(c) The facility deposit fee is waived for U. S. veterans with a service connected disability or active duty U. S. military personnel as provided in ORS 390.124. All other fees apply.

(d) The person making the reservation must pay the \$8 non-refundable transaction fee at the time the reservation is made. This fee is not included in the fee waiver.

(3) Overnight Rental Fee Waivers for individual primitive, tent, electric, full hook-up or horse camp campsites only:

(a) The overnight rental fee, including any extra vehicle fees, is waived for all persons on the night of State Parks Day (first Saturday of June). All other fees apply.

(b) The overnight rental fee is waived for foster families and adoptive foster families as defined in OAR 736-015-0006. The fee waiver is limited to the first two campsites, and an adult care provider with one or more foster children must be present. The fee waiver is limited to a total of fourteen days per calendar month. All other fees and rules apply.

(c) The overnight rental fee is waived for U. S. veterans with a service connected disability or active duty U. S. military personnel on leave as provided in ORS 390.124. The waiver of individual campsite fees shall be limited to no more than ten days total in a calendar month. The qualifying veteran or active duty military personnel on leave must be present in the site to qualify for the waiver. All other fees and rules apply.

(d) The director may waive the overnight rental fee for volunteer hosts traveling to an assignment at a park area.

(4) Day Use Parking Fee Waivers:

(a) The day use parking fee is waived for all persons on State Parks Day (first Saturday of June).

(b) The day use parking fee is waived for U.S. veterans with a service connected disability or active duty U.S. military personnel on leave as provided in ORS 390.124.

(c) The day use parking fee is waived for foster families and adoptive foster families as defined in OAR 736-015-0006. The waiver shall be valid until the expiration date of the Certificate of Approval to Provide Foster Care or the adopted foster child turns 18 years of age.

(d) All other fees apply.

(5) At those parks offering showers to non-campers, the shower use fee is waived for individuals with an OPRD Special Access Pass.

(6) Proof of Eligibility for Fee Waivers

(a) The department will issue Veterans and Foster families who have provided the department valid proof of eligibility an OPRD Special Access Pass. Pass holders must use the pass to identify themselves as a qualified recipient of fee waivers at state park campgrounds and day use areas. Proof of eligibility must be provided through an application process outlined on the OPRD web site at www.oregonstateparks.org or by calling the OPRD Information Center at 1-800-551-6949 for instructions.

(b) The department will accept the following forms of proof to qualify for fee waivers as a U.S. veteran with a service connected disability:

(A) Disabled Veteran's license plate issued by the Oregon DMV;

(B) A current Disabled Veteran Permanent Hunting/Angling License issued by the Oregon Department of Fish and Wildlife;

(C) A Washington State Parks Disabled Veteran's ID card;

(D) Any United States Department of veterans Affairs (VA) photo identification card bearing the words "service connected";

(E) Any letter issued by the VA stating eligibility for any of the above programs, or bearing the words "service-connected disability."

(c) The department will accept the following forms of proof to qualify for fee waivers as an adoptive foster family, as defined in OAR 736-015-0006, with an adopted foster child under 18 years of age or a foster family, as defined in OAR 736-015-0006:

(A) Certificate of Approval to Maintain a Foster Home for Children with Developmental Disabilities;

(B) Certificate of Approval to Maintain a Foster Home for Children;

(C) Certificate of Approval to Maintain a Relative Home for Children;

(D) Written certification from Department of Human Services identifying the applicant as an adoptive or guardian foster family.

(d) The department will not issue an Active Duty Military on official leave a Special Access Pass. Such customers must pay any applicable fee and after their visit may request a refund by sending a letter from their commanding officer on official letterhead stating they were on leave for the dates they camped and their camping receipt to Reservations Northwest within 30 days after departure date of the stay. A refund of applicable fees will be sent within three weeks of the receipt of their request.

(7) There will be no charge for issuing a Special Access Pass or renewing an expired pass. There will be a processing fee of \$5.00 for replacement of a lost pass that is still valid.

(8) The department may revoke or temporarily suspend an OPRD Special Access Pass issued under section (6) if:

(a) The pass is used to waive fees beyond the monthly allowable limits;

(b) The pass holder does not occupy a site when fees have been waived under authority of their pass; or

(c) The pass holder transfers their pass to another person to use.

(9) Pass holders must cancel their reservation three days prior to arrival to avoid a penalty. Cancellations within the three day period will be charged a penalty equal to one nights facility fee for the type of site reserved.

(10) Pass holders who make a reservation and do not check in at the park or notify park staff that they will be delayed, prior to 1:00 p.m. of the second day of the reservation, will be considered a "no show" and the entire reservation will be cancelled. A penalty equal to one night's facility fee for the type of site reserved will be charged.

(11) If a pass holder vacates their site one or more days prior to checkout without notifying park staff, any days remaining on the reservation will be counted against their monthly waiver limit.

(12) A person may request a refund under the following circumstances.

(a) Reservations Northwest may refund a reservation fee when the department has made a reservation error.

(b) Reservations Northwest may refund a facility deposit and may waive the cancellation or change rules when requested by the person due to the following emergency situations:

(A) Emergency vehicle repair creates a late arrival or complete reservation cancellation;

(B) A medical emergency or death of a family member creates a late arrival or complete reservation cancellation;

(C) Acts of Nature create dangerous travel conditions; or

(D) Deployment of military or emergency service personnel creates a late arrival or complete reservation cancellation.

(c) The director or his/her designee may approve a refund under other special circumstances.

(d) All requests for refunds under this section must be sent in writing to Reservations Northwest via email, fax or surface mail to be considered for a refund.

(e) The department will issue refunds for specific site or park area closures and no written request is required.

(f) The park manager may only issue a refund at the park due to the person leaving earlier than expected, and while the person is present and has signed for the refund. Once the person has left the park, refund requests must be sent to Reservations Northwest for processing.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.111, 390.121 & 390.124



Public Comment Summary - Division 15, Fee Waivers

Prepared by: Richard Walkoski

Date: January 29, 2016

Background

At the February 11, 2015 OPRD Commission meeting, approval was given to begin rulemaking in division 15 to review and revise reservation procedures with the goal of improving customer service and streamlining operations at the call center. Due to the complexity of the rules in division 15, revisions are being done in several smaller rulemaking actions rather than one revision that would cover the entire division.

The first revision was adopted in September 2015, and covered reservation rules and rules that allow group camping in blocks of individual campsites. Those changes: 1) reduced the reservation window from two days to one to allow customers more flexibility; 2) simplified the cancellation process to provide one point of contact and allow cancellations on the web; 3) changed the cancellation and change windows for deluxe cabins, yurts and horse camps from one month to 3 days to reduce financial penalties on customers; 4) changed the rules for groups using individual campsites, improving operational efficiency and focusing on the groups with the most impact on park resources; and 5) clean up rule language, removing references to old programs.

Advisory Committee

OPRD consulted an Administrative Rule Advisory Committee composed of current users of the Special Access Pass Program, veteran benefits advocates and representatives of the Oregon Department of Veterans Affairs (ODVA). Members included: Julie Harding, pass user; “Mac” MacDonald, veterans advocate and one of the people involved in the original legislation; Gus L. Bedwell, ODVA Training and Development Specialist; Joe Glover, ODVA Statewide Veterans’ Services Manager. The following OPRD employees were at the meeting to provide information and serve as a resource to the committee: Justin Parker, Stub Stewart park manager; Michele Bachand, Central Business Services administrative assistant; Claudia Ciobanu, Central Business Services manager; and Richard Walkoski, Communications Specialist.

The advisory committee met once on October 9, 2016 and provided additional feedback through e-mail. Their advice and comments to the department are summarized below:

1. The program is currently working for most people that use it.
2. Changes should help make the program simple and easy to understand from the user’s point of view while making administration and tracking as efficient as possible.
3. Users should be held accountable when they do not follow the rules and abuse the benefit. Penalties, up to and including the loss of the benefit should be put in place and communicated to users.

4. While a benefit of ten days free camping per month is adequate, the limit of no more than five consecutive days per stay is both difficult for users to understand and difficult to administer. Simplify the limit to ten days per month.

Based on the advice of the advisory committee OPRD made the following revisions to the fee waiver programs for veterans with a service connected disability. The proposed changes covered in this rulemaking would: 1) allow the waiver to be used when making reservations on-line; 2) simplify the stay limit to ten days per month and removing the limit of no more than five consecutive free nights per stay; 3) add showers to the list of fee waivers available to pass holders; 4) add a \$5 fee for replacement of a lost pass; 5) clarify when a pass can be revoked or temporarily suspended; 6) add penalties for failure to cancel; 7) impose a penalty for leaving early without letting park staff know.

Comment Period

On November 18, 2015 a press release was issued announcing the public comment period, which extended through December 18, 2015. Six public hearings were scheduled during December at locations around the state (listed below). The ODVA also announced the comment period and the public hearings, using their mailing list of veterans interested in recreation and rulemaking. That list contained 1,313 e-mail addresses. The ODVA has a system that tracks e-mail and they found that 1,295 of the e-mails were successfully delivered; of those delivered 532 were opened; and 28 clicked the link to go to the OPRD rulemaking page for more information. There was good media coverage announcing the rulemaking and comment period; however, very few people made comments and no one attended the public hearings. A summary of the hearings and comments received follows.

Public Hearings

These revisions change the rules for administering a program that grants fee waivers to a large group of our customers, and because it could possibly have a financial impact on them, we scheduled public hearings on this rulemaking action. We also tried to distribute the hearings around the state so they would be more readily available to customers who may have difficulty travelling due to a disability. The hearing locations represent the top five counties of residence for our program users. The table below lists the hearing schedule and locations:

Date	Time	Location
12/2/2015	5:30 PM	North Mall Office Building-Park HQ, 725 Summer Street NE, Suite C, Salem
12/3/2015	6:30 PM	Pine Ridge Inn, 1200 SW Mt. Bachelor Dr, Bend
12/7/2015	6:30 PM	Valley River Inn, 1000 Valley River Way, Eugene
12/12/2015	9:00 AM	Tryon Creek State Park Nature Center, 11321 SW Terwilliger Blvd, Portland
12/15/2015	6:30 PM	Tryon Creek State Park Nature Center, 11321 SW Terwilliger Blvd, Portland
12/16/2015	6:30 PM	Rogue Regency Inn, 2300 Biddle Road, Medford

There were no attendees at any of the six public hearings.

Comment Summary

While there were no comments made at the scheduled public hearings, we did receive 28 comments by e-mail. Attachment D contains complete copies of those e-mails. They are also available on the OPRD website.

Of the 28 comments received 23 were in support. The remaining five comments did not explicitly support or reject the proposed changes. Instead, they offered suggestions for managing the program. For example, one suggested that we adopt a program similar or identical to the Federal Golden Access Pass; one suggested an out of state surcharge; one mentioned that some counties accept the OPRD pass as proof for county park discounts on camping and boat launching, and it would be great if all counties accepted the pass; one felt Oregon should only offer the waiver to Oregonians and residents from other states who have a similar program available to Oregon residents (reciprocity); and one was blank. There was also a suggestion included in one of the comments supporting the rule changes that we expand the waiver to include yurts and cabins. Considering the comments received and the lack of interest in the public hearings there seems to be strong public support for the changes the department proposes.



Nature
HISTORY
Discovery

OPRD Public Comments
Division 15, Special Access Pass Fee Waivers

28 comments received through e-mail

Comment Period Ending: December 18, 2015

From: [Hal Smith](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Veterans Special Access Pass Program
Date: Tuesday, November 17, 2015 7:57:32 PM

As a veteran who utilizes this program I am in support of the changes. The online registration will be especially helpful to everyone Overall the changes create efficiencies for the veterans, the public and OPRD.

Hal Smith
Salem, OR



This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: [Robert Dolan](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Veterans fee waivers
Date: Wednesday, November 18, 2015 9:55:18 AM

As a park host, I agree with these changes. The 10 day fee waiver for veterans is a great way to honor our vets. However, while park hosting, we encountered several vets who left their sites early and never notified us. Then many campers would ask us about the empty site and we would have to inform them that we could not resell because there was an active reservation for the site. Oftentimes, park rangers attempt to contact the vet to no avail. So this is a good change.

Bob Dolan

From: [DIANE LEONARD](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Special Access Pass
Date: Wednesday, November 18, 2015 10:14:13 AM

My son has one for his Cerebral Palsy. The proposed changes would make things easier when making reservations. I was surprised when I got the pass that I could not make reservations on line.

Thank you for offering this pass for he disabled.

Diane Leonard

From: [Barry Crocker](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Changes, Special Access Pass for Veterans
Date: Thursday, November 19, 2015 10:14:28 AM

To Whom It May Concern,

I completely agree with all of the proposed changes especially the one where we will be able to make on-line reservations. Having to call in to do that has cost us not be able to get a reservation a couple of times.

Sincerely,

Barry Crocker

From: fruinc@gmail.com
To: [PUBLICCOMMENT * OPRD](#)
Subject: Disabled Veteran Park Pass
Date: Sunday, November 29, 2015 10:39:12 AM

Dear Parks and Recreation Department,
I read about your proposal in the Wilsonville newspaper. I am in favor of your proposed changes. They would be an advantage to a targeted group of veterans, those who need the most support. They would also help your department by implementing the usage and rule language. I am in favor of anything that helps you all administer our beautiful state parks system.

Thank you!

Christine Fruin (former camper, mom, grandma, teacher)

Sent from my iPad

From: [Norma Wood](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Fwd: Delivery Status Notification (Failure)
Date: Monday, November 30, 2015 10:41:56 AM

----- Forwarded message -----

From: "Mail Delivery Subsystem" <mailer-daemon@googlemail.com>
Date: Nov 30, 2015 10:37 AM
Subject: Delivery Status Notification (Failure)
To: <normakaywood@gmail.com>
Cc:

Delivery to the following recipient failed permanently:

oprpubliccomment@oregon.gov

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the server for the recipient domain oregon.gov by smtp1.state.or.us. [159.121.105.150].

The error that the other server returned was:
550 5.1.1 <oprpubliccomment@oregon.gov>... User unknown

----- Original message -----

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;
d=gmail.com; s=20120113;
h=mime-version:date:message-id:subject:from:to:content-type;
bh=PiDb+1oBIR9lsy1/PWab70ow52F+jDMSa5A6WISifLE=;

b=O70FI/qTfiWd8TuEvCQQq+T2HNLO0OIG5n5jhRIb76tECr6PpU2sXyZMU2ptAkoGI8
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1FVkJzozGjXJeSi7v477cB2Wru1ttSTh+MDqKKFjrKIBXzSrP/rnw+T+NKa18fVUivayg
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7YPg==

MIME-Version: 1.0

X-Received: by 10.50.66.144 with SMTP id f16mr20934628igt.22.1448908655598;
Mon, 30 Nov 2015 10:37:35 -0800 (PST)

Received: by 10.79.98.5 with HTTP; Mon, 30 Nov 2015 10:37:35 -0800 (PST)

Received: by 10.79.98.5 with HTTP; Mon, 30 Nov 2015 10:37:35 -0800 (PST)

Date: Mon, 30 Nov 2015 10:37:35 -0800

Message-ID:

<CAJoB5gHyTC65ZiXJgtfzmbhsppxGfFGTL4Mxaju0wfJeJtAUvO@mail.gmail.com>

Subject: Vet park pass comment

From: Norma Wood <normakaywood@gmail.com>

To: oprpubliccomment@oregon.gov

Content-Type: multipart/alternative; boundary=047d7bdc9daebaa5990525c65527

Anything to offer ease of use, increased accessibility, and support for our nation's veterans is a good thing. Do it!!

Norma Wood, Florence, OR

From: [DON](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Disabled vetran pass rule changes.
Date: Tuesday, December 01, 2015 2:53:22 PM

The proposed changes seem to be fair and appropriate.
I, as a disabled vetran have no objection to these changes.

MSgt Don Mosley, USAF, Ret.

"If I had a horse, I'd ride off into the sunset"

From: [Ron](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: park rule changes
Date: Tuesday, December 01, 2015 3:05:27 PM

I as a veteran am all for the changes, looks like things are just simpler
Ron Johnson

From: [Stan Wood, DVM](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: ODVA special access pass comments
Date: Tuesday, December 01, 2015 3:43:07 PM

I read the proposed rule changes for ODVA special access passes for disabled veterans using state parks and find them an improvement and fair. I endorse them.

Stan Wood,
COL AUS Retired



This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: [Mel Roemmich](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Proposed changes OAR 736-015-0035
Date: Tuesday, December 01, 2015 3:57:05 PM

Oregon Parks and Recreation Department

I am in favor of the new changes: ie 1) allow these reservations to be made on-line; 2) simplify the stay limit to ten days per month; 3) add showers to the list of fee waivers available to pass holders; 4) add a \$5 fee for replacement of a lost pass; 5) clarify when a pass can be revoked or temporarily suspended; 6) add penalties for failure to cancel; 7) impose a penalty for leaving early without letting park staff know.

To me, these changes make common sense and is the right thing to do.

Thank You

Mel Roemmich

USAF, Disabled military veteran, served from Nov 1959 to April 1966

Mel Roemmich, 503.706.1929 Cell/Text

From: [Ray Inabnitt](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Disabled veterans park access changes
Date: Tuesday, December 01, 2015 3:59:22 PM

I am a Disabled veteran and US ARMY retiree. Why not just adapt similar or identical policy to the National Parks Golden Access Pass???

--

***Thank you,
Ray Inabnitt
US Army, Retired***

From: [Marvin Awtry](#)
To: [PUBLICCOMMENT * OPRD](#)
Cc: [REP Buehler](#); [SEN Knopp](#); [SEN Whitsett](#); dsurrett3@gmail.com
Subject: Public Comment Hearings
Date: Tuesday, December 01, 2015 4:15:25 PM
Attachments: [image001.png](#)
[image002.png](#)

Wish I could be in Bend for the OPRD public hearing on Dec 3rd. However, I'll be in Portland at the VA Medical Center for an appointment. Therefore, my comment is: I wrote letters to the States of Washington, Montana and Idaho Parks and Recreation Departments asking if they would reciprocate with Oregon's Veterans Passes. I went on to say that being a veteran is Federal, not State. Since Oregon allows all residents of other States to receive Oregon's State Park Veterans Pass, would they be willing to reciprocate in their States. I only received one letter back, from the Idaho Parks Dept, letting me know it was up to their legislature, not the Parks Dept. Praise and thanks to the OPRD for showing gratitude to all Vets.

My question is: **Should we only allow Vets in States that reciprocate with ours to receive Oregon Vets Passes?** Perhaps this would encourage other States to re-think their policies. I have spoken with Vets from both California and Washington, while they are using their passes in Oregon's Parks, asking them to lobby their States to reciprocate. They weren't interested in writing their State's Parks Dept or representatives. This has been several times and especially during the salmon run and crabbing months. Many of our Parks are full during the summer months.

Good luck with your public hearings around the State. Thanks for your service to us and attention to my concern.

Marvin H. Awtry
Vietnam Disabled Veteran
La Pine, Oregon

cc: Rep. Knute Buehler, Sen. Doug Whitsett, Sen. Tim Knopp, DAV Ch 14 Adj. Don Surrett

From: Oregon Department of Veterans Affairs [mailto:ODVA@public.govdelivery.com]
Sent: Tuesday, December 01, 2015 2:35 PM
To: mawtry@crestviewcable.com
Subject: Parks and Rec Seeking Public Comment on Special Access Pass for Disabled Veterans



OPRD seeks comments on Special Access Pass rules for Disabled Veterans

The Oregon Parks and Recreation Department (OPRD) is seeking public comment on proposed rule changes to the Special Access Pass program. This program grants Veterans with a service connected disability a fee waiver for up to ten days per month in standard campsites at Oregon State Park campgrounds. The proposed changes will: 1) allow these reservations to be made on-line; 2) simplify the stay limit to ten days per month; 3) add showers to the list of fee waivers available to pass holders; 4) add a \$5 fee for replacement of a lost pass; 5) clarify when a pass can be revoked or temporarily suspended; 6) add penalties for failure to cancel; 7) impose a penalty for leaving early without letting park staff know. A summary of the proposed changes is included below. Additional details, including the proposed rule language can be found at

http://bit.ly/Veterans_Pass_Rules.

OPRD will accept comments until 5:00 PM on Friday, December 18, 2015. Comments may be e-mailed to opr_publiccomment@oregon.gov and written comments may be sent to Richard Walkoski, Oregon Parks and Recreation Department, 725 Summer St. NE, Suite C, Salem OR 97301. Comments will also be accepted at a series of public hearings scheduled during December at the following locations:

12/2/2015

5:30 PM

North Mall Office Building-Park HQ, 725 Summer Street NE, Suite C, Salem OR 97301

12/3/2015

6:30 PM

Pine Ridge Inn, 1200 SW Mt. Bachelor Dr, Bend, OR 97702

12/7/2015

6:30 PM

Valley River Inn, 1000 Valley River Way, Eugene, OR 97401

12/12/2015

9:00 AM

Tryon Creek State Park Nature Center, 11321 SW Terwilliger Blvd, Portland, OR 97219

12/15/2015

6:30 PM

Tryon Creek State Park Nature Center, 11321 SW Terwilliger Blvd, Portland, OR 97219

12/16/2015

6:30 PM

Rogue Regency Inn, 2300 Biddle Road, Medford, OR 97504

Those who wish to make public comment must register with the hearing officer within thirty minutes of the listed start time on the scheduled hearing dates.

The following is a summary of the proposed changes.

1) Pass holder benefits online – Currently pass holders cannot book online and receive the waiver. This change is a customer service improvement that will allow pass holders greater flexibility and convenience. They will be able to reserve online and receive the discount. Without this change, when users choose to reserve online, they pay in full and write in for a reimbursement, which is inefficient for our customers and for the department.

2) Simplified stay limits – Currently pass holders who want to stay longer than five days in one visit have to pay for the additional days, even though the benefit is up to ten days per month. Those who want to use their full benefit have to stay at least twice, leaving the park between stays. This change will waive camping fees for up to ten days in a single stay, which will provide greater convenience for pass holders and simplified monitoring for the OPRD. Customers who currently stay longer than five nights in one stay will save money, as they will no longer have to pay for the nights in excess of their first free five nights. The department will gain efficiencies by no longer splitting reservations and explaining the rules to program users.

3) Shower benefit – This change expands the Special Access Pass benefits to include free showers at OPRD campgrounds that allow non-campers to purchase showers. Program users will save money by not paying for the shower, and the department will eliminate the problem of pass holders registering for a site they do not need just so they can take a shower.

4) Pass replacement fee – This change would set a \$5 fee to issue replacement passes for those that are lost. This provision will have a small negative economic impact on program users who need a replacement pass, but it will affect a very small portion of the pass holders. The department will be able to recoup a portion of the costs associated with managing the program and provide an incentive for safeguarding the pass.

5) Pass suspension – Currently, the department's option for enforcing program rules is to revoke

passes for abuse. This proposed change will allow the department to temporarily suspend a pass, which is a softer approach to enforcing program rules.

6) Late cancellations and no shows – This proposed change will charge pass holders an amount equal to one night's stay fee if they do not cancel a reservation three or more days before their arrival day, or if they do not occupy a site by 1:00 PM on the second day of their reservation. Camping fees range from \$17 to \$31 depending on the type of site reserved. While this fee will have a negative impact on pass holders who currently do not cancel reservations timely or fail to show up for a reservation, this is not a new fee for OPRD. Non-pass holders currently pay an amount equal to one night's fee if they do not cancel a reservation three or more days before their arrival, or if they fail to check in by 1:00 PM. This rule aligns business practices for pass holders with the rules currently in effect for other campers. In addition, this rule change will encourage pass holders to notify OPRD when they change their plans so the sites can be released, allowing other users to book the sites rather than having them sit empty.

7) Early departures – This proposed change will affect pass holders who leave a park before their scheduled departure date and do not notify the park that they are leaving. The rule change would deduct the additional days remaining on the reservation from the pass holder's monthly benefit, just as if they had stayed in the park. This change will affect a small number of pass holders and will allow the department to achieve greater program accountability.

ODVA Headquarters

700 Summer Street NE
Salem, OR 97301

[T] 503 373 2085 [F] 503 373 2362 | oregon.gov/odva

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This email was sent to mawtry@crestviewcable.com using GovDelivery, on behalf of: Oregon Department of Veterans Affairs · 700 Summer St NE · Salem, OR 97301

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govDELIVERY.
get the word out.

From: [Steve Hutchcraft](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Special pass for disabled veterans.
Date: Tuesday, December 01, 2015 4:38:16 PM

I am in favor of these new proposals. I am a veteran with a 10% service connected disability.

Thank you,

Steve Hutchcraft
1212 34th Ave SE Apt 1
Albany, OR 97322

From: [crish.hamilton](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: disabled vet pass
Date: Tuesday, December 01, 2015 4:40:57 PM
Importance: High

I vote to give disabled vets of any % any benefits possible!
TYVM!
D.V.Hamilton



This email has been checked for viruses by Avast antivirus software.

www.avast.com

From: [STEVEN WEST](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Passes
Date: Tuesday, December 01, 2015 6:56:13 PM

Hi,

I most recently got a pass and am anxious to use it. I think it is a wonderful benefit to disabled vets and the expansion of privileges that are also free is great. Please feel free to contact me if you need any other info. I am a Vietnam veteran w/100% service connected disability. Thank you for your support!
Steve West

Life is art, live it, create it!

From: [Jim R.](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Re; proposed changes to the Camping/Recreation passes for disable veterans
Date: Tuesday, December 01, 2015 9:18:36 PM

I just want to thank you for creating this program for disabled veterans like myself.

It seems to me the proposed changes are well-thought and welcome. :-)

Thank you for your service to the rest of us.

Sincerely,

Jim Ruff

From: [Alice Thomsen](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Oregon Passes for Disabled Veterans
Date: Wednesday, December 02, 2015 10:22:51 AM

I am very glad to hear about this recommendation. I am totally in favor of it.

Thank you.

"Honoring the fallen, by helping the living"
Alice Thomsen, Disabled American Veterans

From: [Lloyd Morley](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Veteran Opinion:
Date: Wednesday, December 02, 2015 10:41:32 AM

I am a disabled veteran.

Oregon state parks allow Washington disabled veterans free camping.

Washington does not reciprocate.

In winter, it seems like the parks are full of Canadians, therefore impossible to find a vacancy.

Shouldn't they pay an out-of-state surcharge?

Thanks,

Lloyd G. Morley, Jr.

From: [Nils Heggem](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Special Access Pass rules for Disabled Veterans
Date: Wednesday, December 02, 2015 10:42:50 AM

The rule changes sound like a good thing.
I didn't even know of this Oregon Special Access Pass.
Can you sign me up for one. Thank You.

My name is: Nils H. Heggem
1910 Murrelet Dr.
Redmond OR 97756
H. Ph. 541-516-8992

I am a Viet Nam Veteran and have an:

Oregon Drivers License 2903933 with Veteran Endorsement.
Oregon Disabled Parking Permit (PQ 057501)
National Parks and Rec. Land Pass (073052429)

Please sign me up and send me all info. available.

Thank You. Nils H. Heggem

From: [Heidi](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Access Pass Rules
Date: Wednesday, December 02, 2015 10:43:06 AM

I love the flexibility of being able to reserve online. The rules changes are fair. It would be a much deserved change and a huge benefit for the access cardholders, our Veterans.

Heidi J. Disrud
U.S. Army Veteran (RA)
1983-1990

Hubbard, Or 97032

From: [Harold Tiernan](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Special Access Passes
Date: Wednesday, December 02, 2015 2:46:05 PM

Recommend implementation ASAP. No further comment necessary.
Woody Tiernan
Dallas, OR
5038310657

From: [Vicki L Grout](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: New rules
Date: Wednesday, December 02, 2015 4:25:01 PM

My only comment is:

Let's get it done. For years I have had many of the problems that will now be resolved by these new rules.

I absolutely agree that fees should be charged for the infractions listed. Because we are **given** these benefits, it does not mean we should be allowed to abuse them.

Thank you for letting me put in my two cents worth,

Vicki Grout
107 River Ridge Ave
Roseburg OR 97471-2303
541-863-9186

From: [Rick](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Special Access Pass rules for Disabled Veterans
Date: Friday, December 04, 2015 6:13:29 PM

All proposed changes are fantastic. Thank you.

Rick Pepperkorn
Pass Holder #7467

From: [jdgreer](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Fee waiver for parks
Date: Sunday, December 06, 2015 12:40:07 PM

I've noticed from one county to the next in Oregon that some of county parks will accept the OPRD pass also using the parks and also for boat launching at County Parks There is a difference like I said from one county to the next on those that do and do not accept that pass If there was some way to make it possible for all counties To accept this pass Would be greatly appreciated

Sent from Samsung Mobile

From: [Eric Birch](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Request for Change to Special Access Pass rules for Disabled Veterans
Date: Monday, December 07, 2015 10:20:12 AM

Hello,

My name is Eric Birch. I am an Oregonian, and a Disabled Veteran.

I am very thankful for the Special Access Pass for Disabled Veterans. I have used it several times.

I support the 7 proposed Special Access Pass rule changes currently under review.

Request: May the Special Access Pass holder be granted discounted or free access to yurts or cabins at Oregon State Campgrounds? Yurts and cabins match my needs much better than a tent or trailer site.

Thank you for your consideration of this request.

Sincerely,
Eric Birch

From: [Elke Warren](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Veterans Pass Rules
Date: Monday, December 07, 2015 12:12:26 PM

Sent from my iPad
Elke Warren

From: [Alice Thomsen](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Parks and Recreation in Oregon for Disabled Veterans
Date: Wednesday, December 09, 2015 5:05:04 PM

I think it is a great idea that you have in mind for us Disabled Veterans in Oregon. I have a Federal Pass that allows me to go to any park and not have to pay a day fee, or a parking fee.

I think it is time that are parks in Oregon allow us the same privilege.

I think the parameters you have set for the overnight parking, camping is only fair too.

"Honoring the fallen, by helping the living"
Alice Thomsen, Disabled American Veterans

From: [Richard Burkhart](#)
To: [PUBLICCOMMENT * OPRD](#)
Subject: Comments
Date: Saturday, December 12, 2015 7:33:42 AM

Rule changes seem fine. I've had one since 2000, very useful during periods of homelessness.

Richard M Burkhart
Sent from my iPhone

Oregon Parks and Recreation Commission

February 24, 2016

Agenda Item:	11c	Action
Topic:	Veterans and Memorial Grant Program – Grant Requests	
Presented by:	Chrissy Curran, Heritage Division Manager, DSHPO	

Background:

The Veterans and War Memorials Grant Committee met January 21, 2016 in Salem and recommended the projects in the funded category of the attached list of grants for commission approval.

The Veterans and War Memorials Grant Program was established after the passage of House Bill 2739 in 2005. State funding assistance is available to local governments that are working in partnership with veterans organizations for the construction and restoration of memorials honoring veterans and war memorials located on public property owned or controlled by a local government. Funding for the projects is derived from existing OPRD lottery funds.

Grant applications were solicited and OPRD received eight project applications. The projects were evaluated based on established criteria and scores. After tabulation of scores and discussion of the grant criteria and purpose, the committee is recommending five of the projects for the Commission's consideration and approval. These recommendations leave an additional \$16,675 available to add to the remaining \$150,000 for the second grant cycle in the biennium.

The City of Springfield is recommended for funding at a lower level than requested, as a portion of the funding requested was designated for contingency and general contractor overhead. The committee felt the grant funds should not be used for a possibility when other projects could be directly supported.

Action Requested: Staff requests Commission approval of the advisory committee's recommendations to fund the Veterans and War Memorial projects totaling \$133,325 per Attachment A.

Prior Action by Commission: Approval of previous grant requests.

Prepared by: Kuri Gill

Attachment A: Veterans and War Memorials Grant Project Recommendations

2016 Veterans & War Memorials Grants

Heritage and Community Programs, Oregon Parks and Recreation Department

Funded

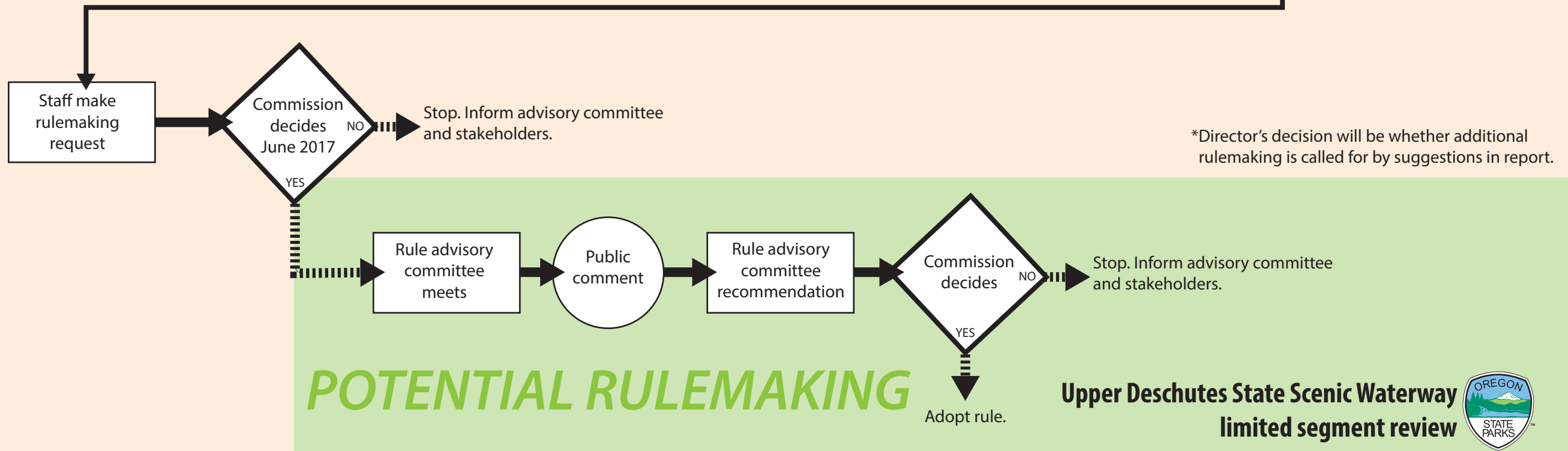
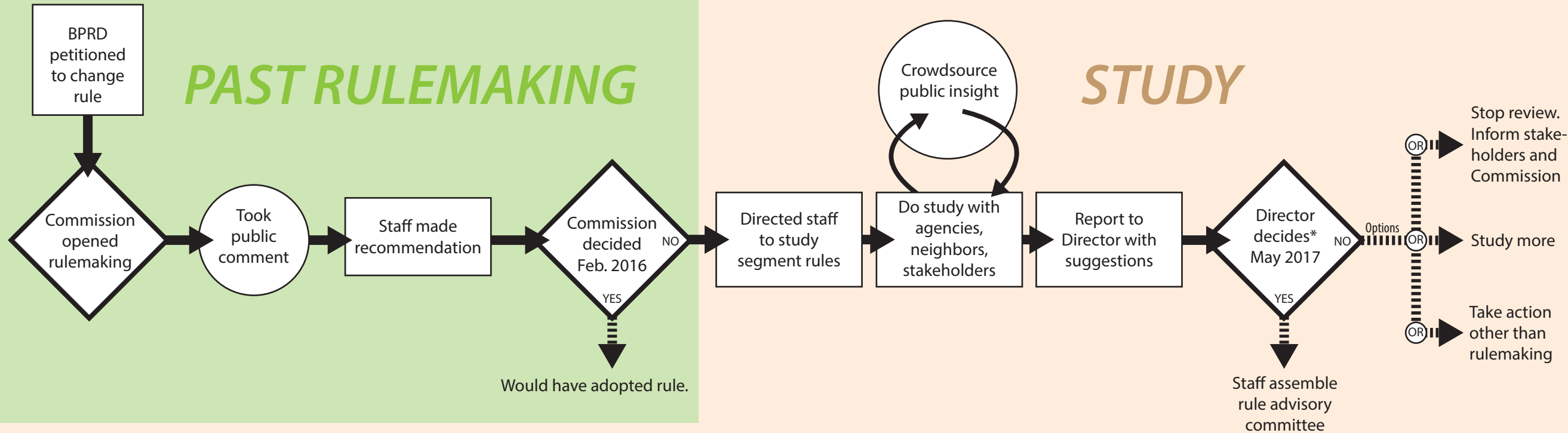
Applicant	Project Description	Grant Request	Grant Award	Match	Overmatch	
Columbia City	Add new tributes and features to the Columbia City Veterans Park including a monument to family members of veterans, a POW/MIA monument, aprons surrounding previously installed monuments, a park bench, a trash receptacle, a drinking fountain, fencing and landscaping.	\$15,600	\$15,600	\$8,950	\$0	
Halsey	Install an additional monument in the Halsey Veteran Memorial Park. It will include names of those who have served from the communities of Halsey, Brownsville and Shedd since WWII, a circular seating area and a flagpole.	\$28,515	\$28,515	\$7,630	\$0	
Lowell	Remove and replace existing memorial plaque to be installed on a granite boulder and relocated near the existing location in Lowell.	\$1,805	\$1,805	\$500	\$0	
Springfield	Construct a new memorial plaza at Willamalane Park in Springfield. The new plaza will incorporate the current Vietnam memorial and include a monument to women veterans.	\$67,475	\$52,405	\$70,840	\$0	
Tualatin Hills Park & Recreation Dept	Relocate the Vietnam Veterans War Memorial from private property to the often visited public Veterans Memorial Park in Beaverton.	\$35,000	\$35,000	\$35,000	\$20,000	
Funded Totals		Number of Applications: 5	\$148,395	\$133,325	\$122,920	\$20,000

Not Funded

Applicant	Project Description	Grant Request	Grant Award	Match	Overmatch
Umatilla Co Parks & Recreation Dist	Update the existing World War II Veterans memorial from Weston to include Veterans from both Athena and Weston, and include area veterans from the American Civil War through current veterans, with additional space to add future service members.	\$9,000		\$3,000	\$0
Washington County	Landscape of final section of Washington County Veterans Memorial. Add two picnic tables and a sitting wall with five flag poles.	\$49,750		\$12,435	\$0
Yoncalla	Install a memorial at what will become the Yoncalla Veteran Memorial Park. It will include a wall with plaques representing veterans from our community, a seating area, flag placements of all armed forces and landscaping.	\$28,950		\$7,336	\$0

Not Funded

Applicant	Project Description		Grant Request	Grant Award	Match	Overmatch
Not Funded Totals		Number of Applications: 3	\$87,700		\$22,771	\$0
Grand Totals (all applications)		Number of Applications: 8	\$236,095	\$133,325	\$145,691	\$20,000





Nature
HISTORY
Discovery

Oregon's Scenic Waterways

Oregon Parks and Recreation Department
Chris Havel and Jean Jancaitis

Upper Deschutes Scenic Waterway Public Meeting
December 2, 2016

Outline

- History of Oregon's Scenic Waterways
- State Scenic Waterways Program Overview
- Upper Deschutes River
 - Reaches
 - Rules

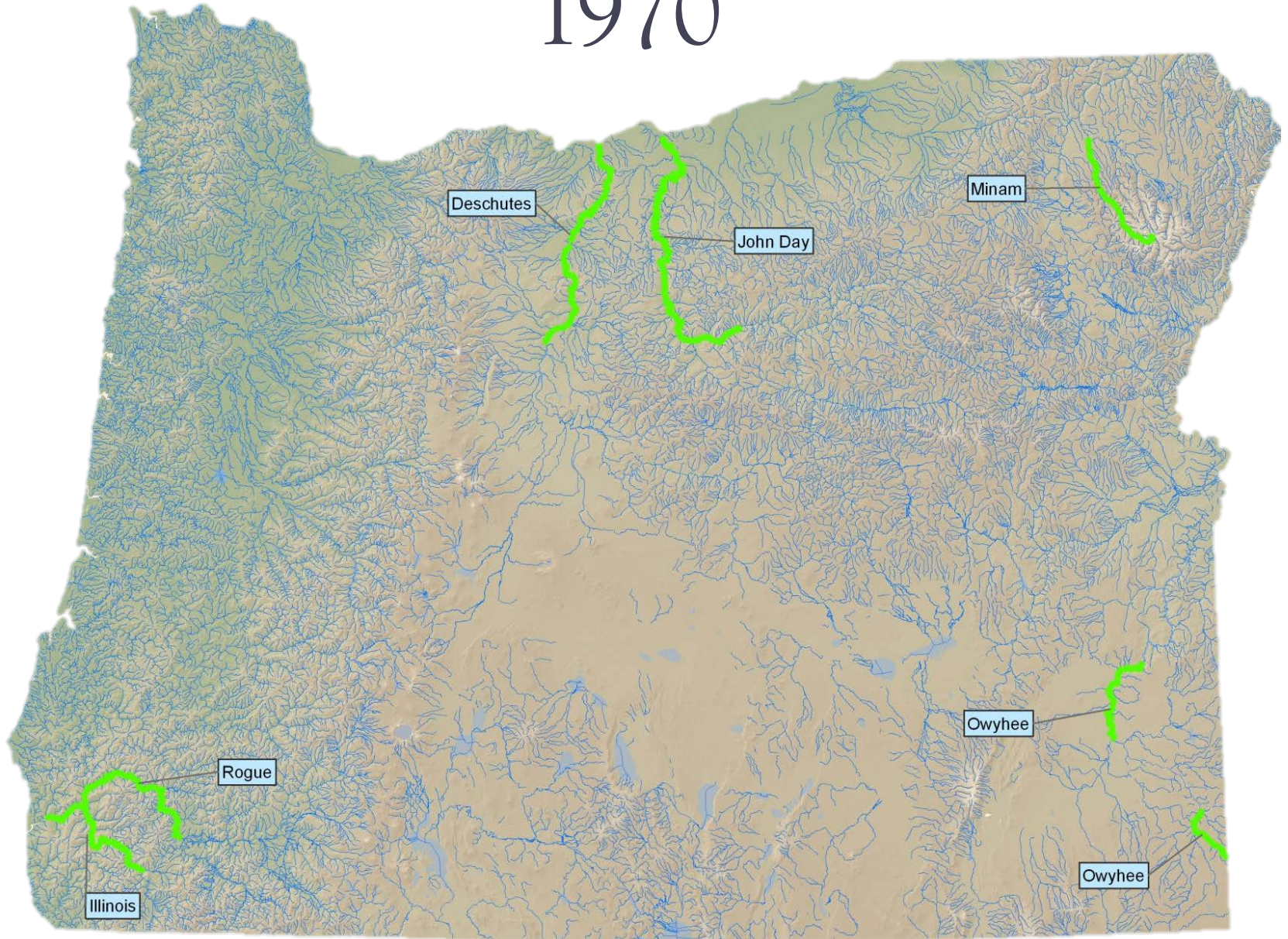


Scenic Waterway History

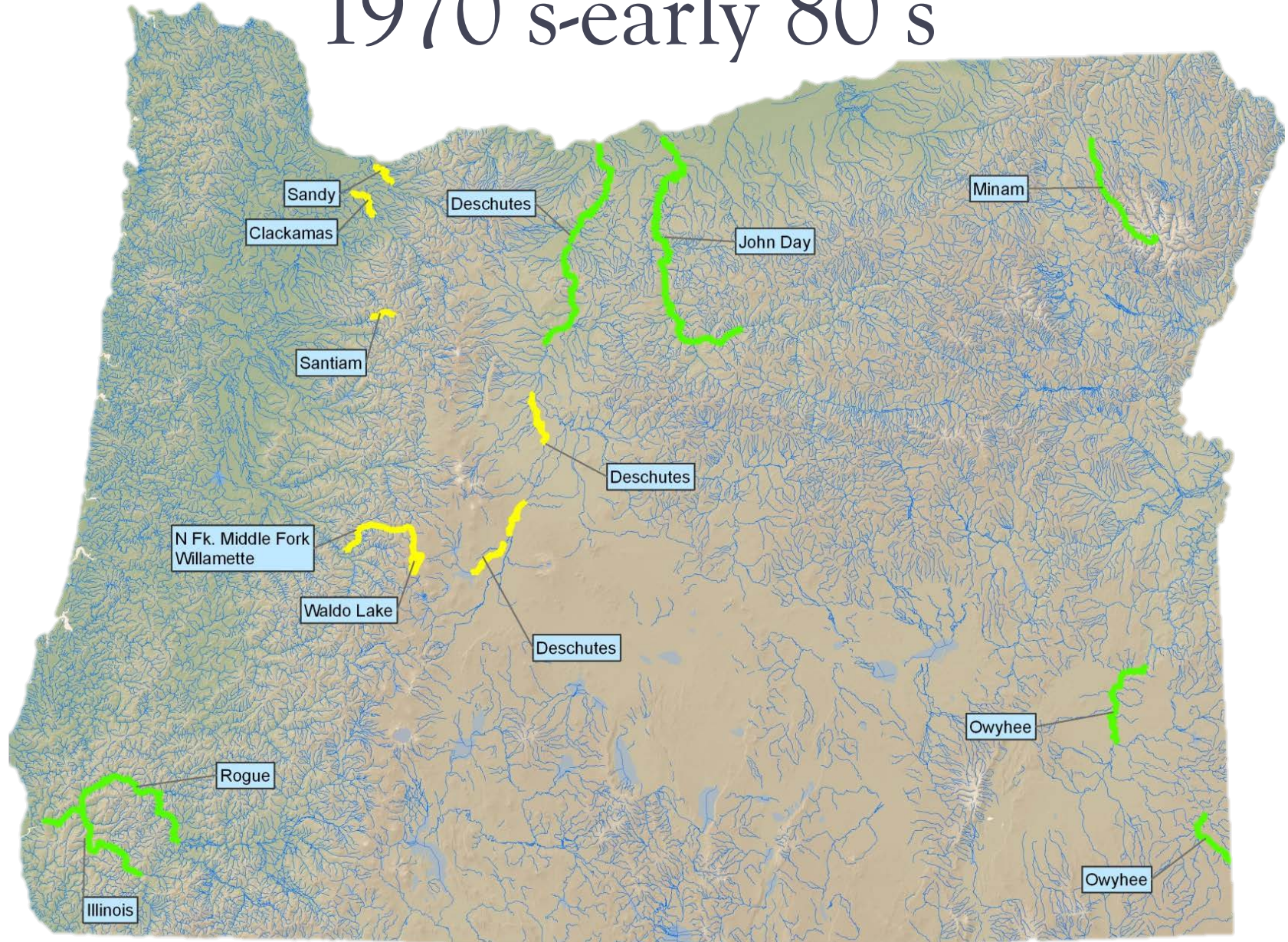
- 1970's-80's
 - Created to preserve, protect enhance Oregon's outstanding waterways



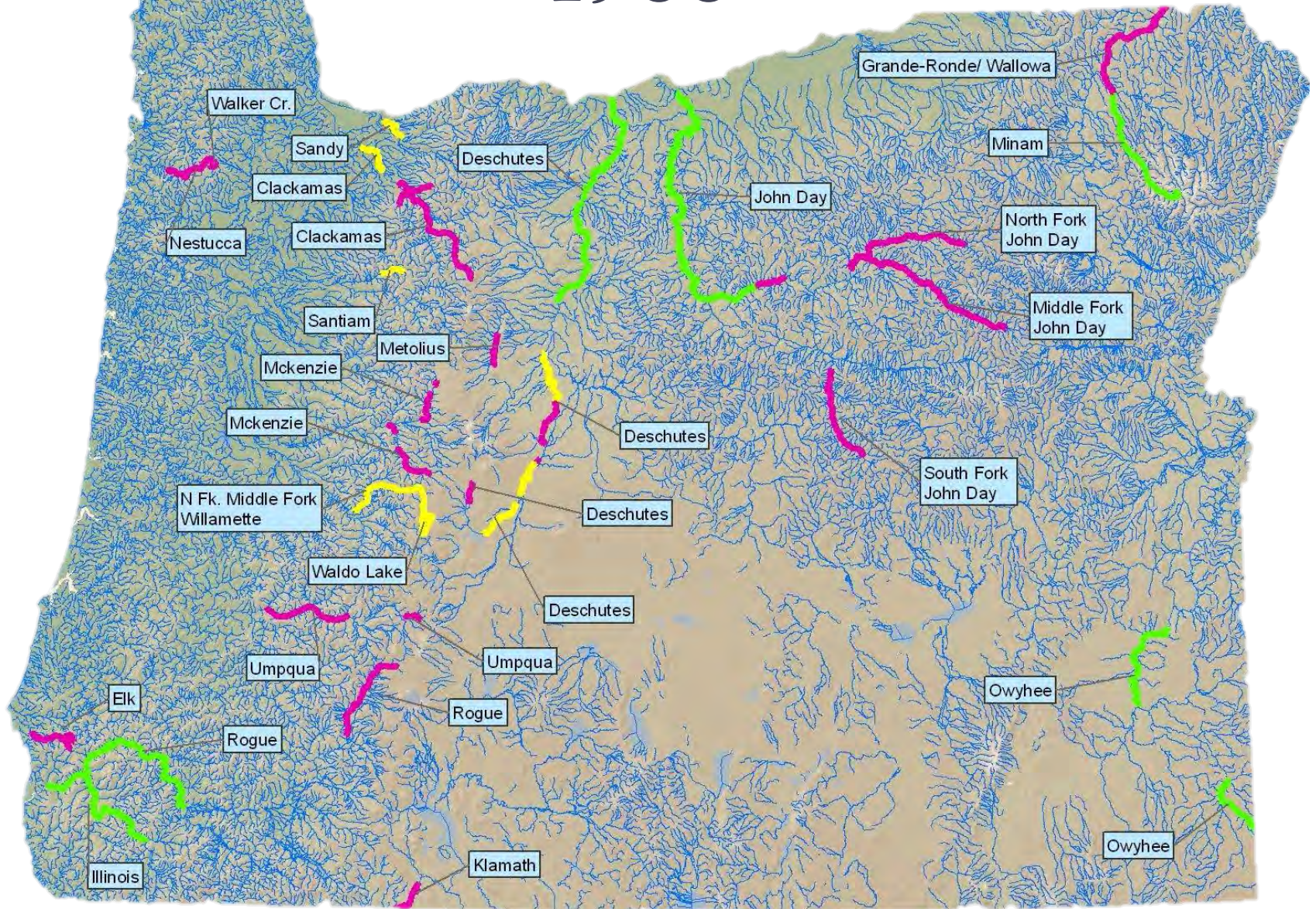
1970



1970's-early 80's



1988





Nature
HISTORY
Discovery

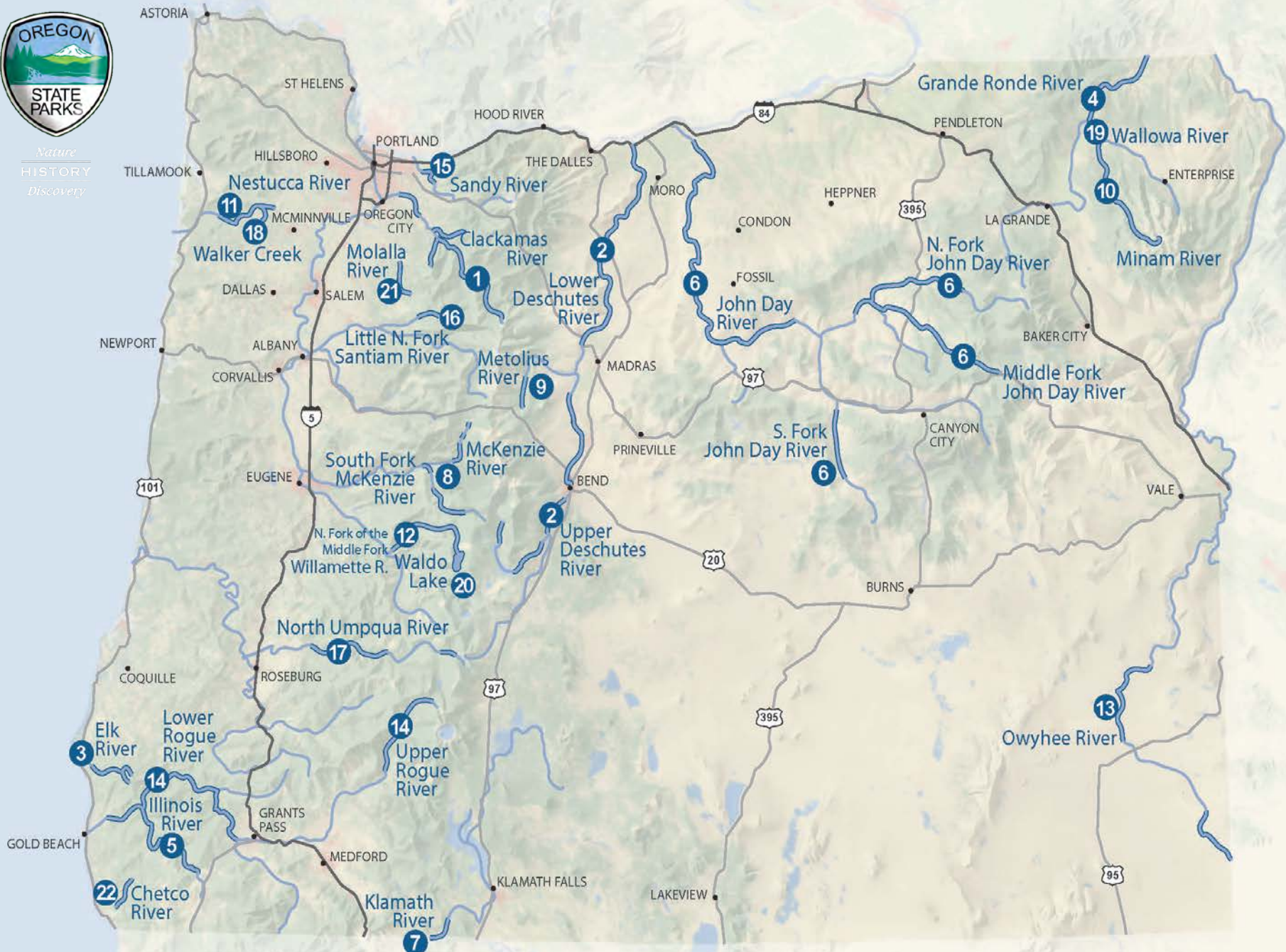




Image: ODFW





Image: ODFW





What the Act Does

- Protects the natural and scenic diversity of waterways by encouraging new development to blend into what is already there
- Protects free-flowing character
- Protects scenic, aesthetic, and recreational character
- Protects private property rights and values



The Act Does Not

- Restrict water rights
- Allow public use of private property
- Require the removal of existing development
- Require the removal of existing private property uses

Current program

- Prohibitions
 - Dams
 - Reservoirs
 - Impoundments
 - Placer mining
- Other land use changes subject to review process



Nature
HISTORY
Discovery



Nature
HISTORY
Discovery

Natural River Area

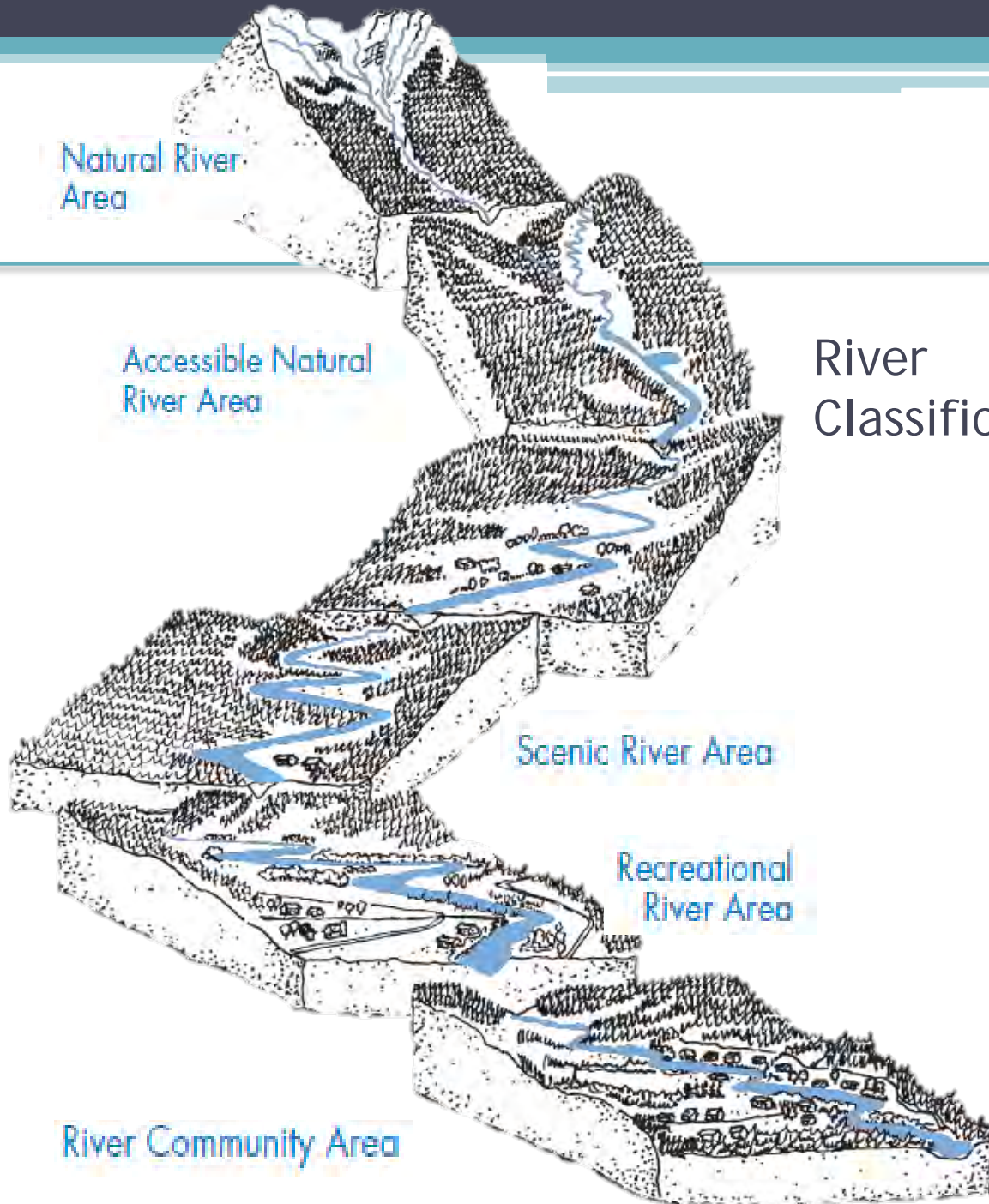
Accessible Natural River Area

Scenic River Area

Recreational River Area

River Community Area

River Classifications





Nature
HISTORY
Discovery

Natural River Area

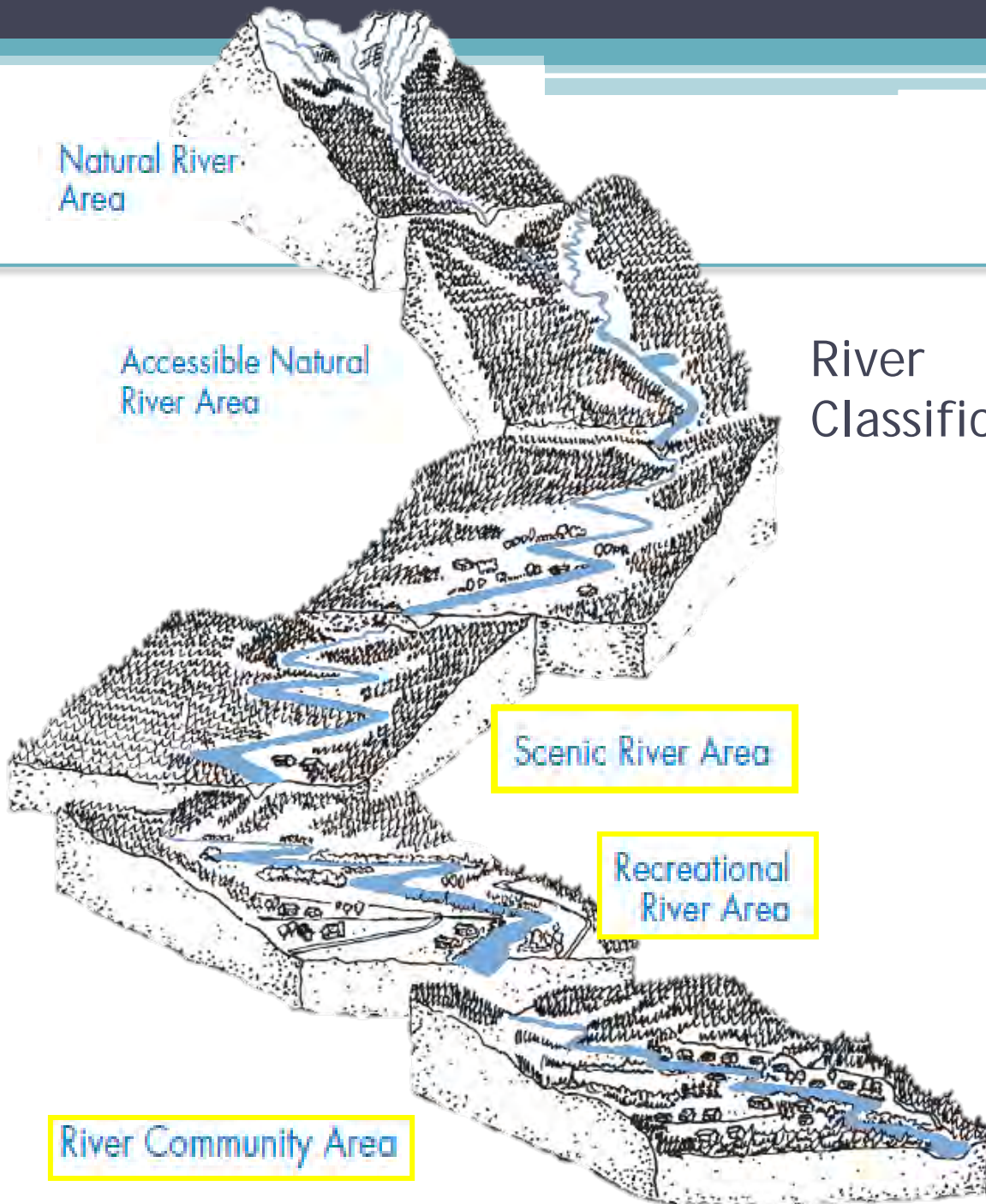
Accessible Natural River Area

Scenic River Area

Recreational River Area

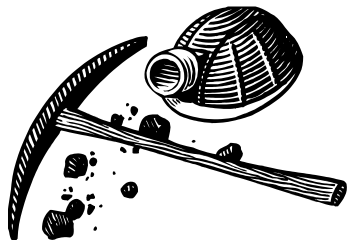
River Community Area

River Classifications



The Review Process

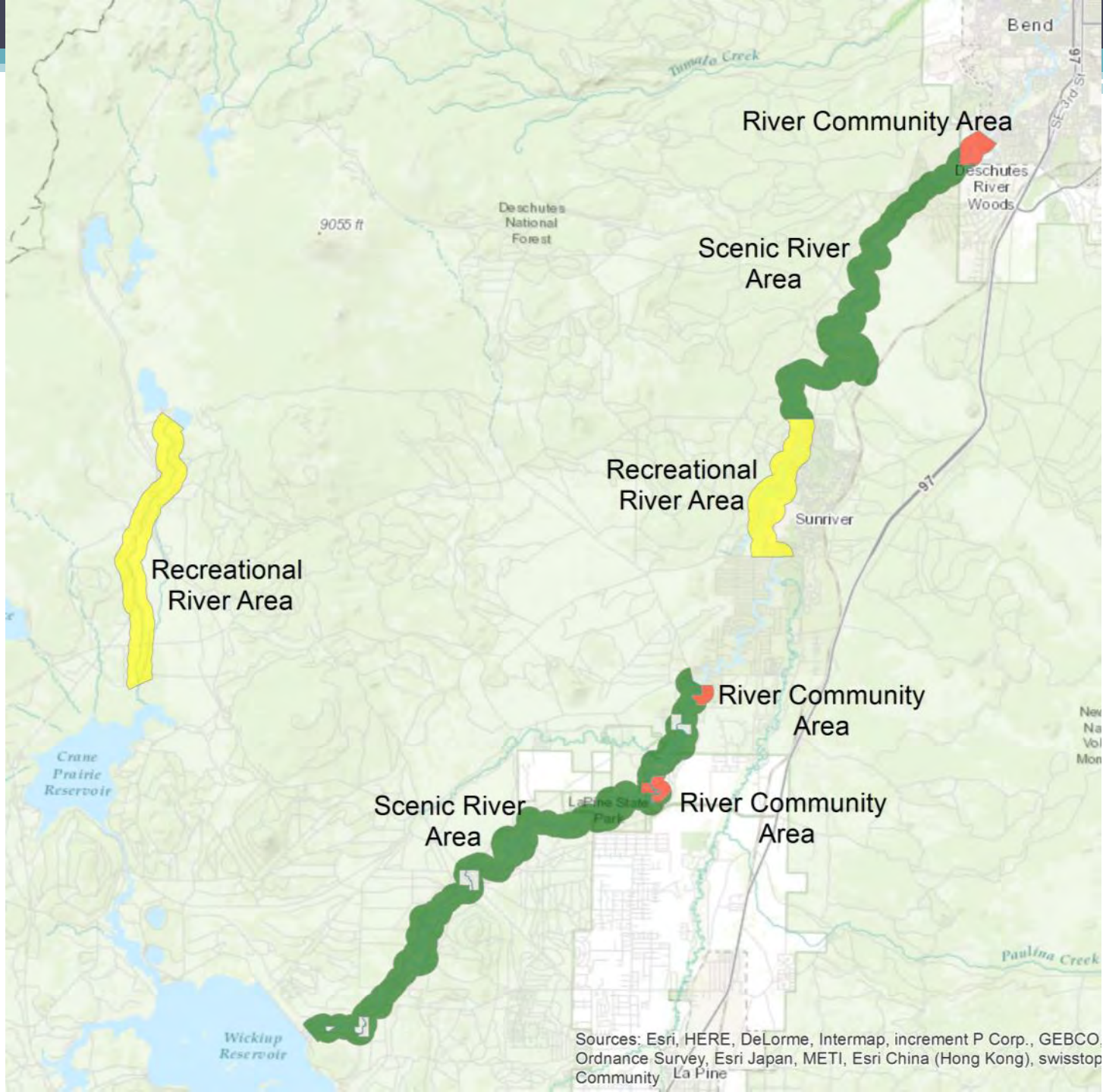
- Must notify OPRD if propose *new*
 - Roads
 - Buildings
 - Timber harvests
 - Mining
 - Other structures
 - Etc.



OPRD Review

- Focus on visual impacts *from* the river
- Includes agency and public comment period
- Staff work w/landowners to blend proposal into the landscape
- Those that do not comply may come to the Commission if compliance can't be negotiated





Common Rules to all Upper Deschutes River Segments

- New structures set back 100 ft. from river or 20 ft. from rim rock
- Structures designed to blend into the landscape (design, color, & materials)
- Keep existing vegetation and more may need to be planted
- No new bridges
- Public recreational services designed to blend into the landscape



Rule Variation between Reaches

	River Reach Classification		
	Scenic	Recreational	River Community
Classification Intent	Largely undeveloped, except agriculture	Accessible, but largely undeveloped	Existing development, screen new development as much as possible
Commercial Public Services	No new facilities	New facilities screened from view	New facilities screened from view
Timber harvest	Not visually evident after 1 year	Completely screened by vegetation or topography	Completely screened by vegetation or topography



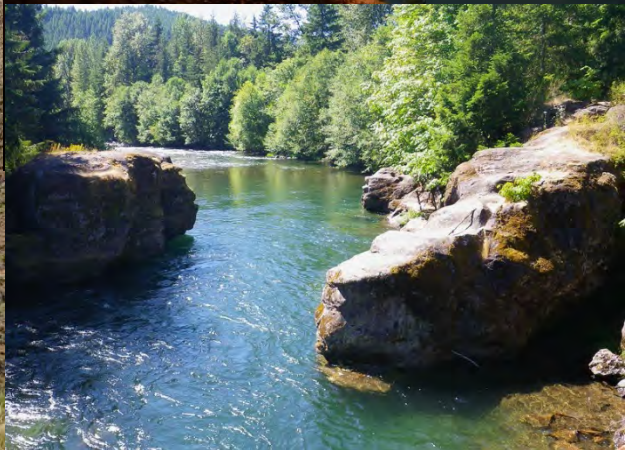
Nature
HISTORY
Discovery

Questions?

Oregon Parks and Recreation Department

Jean Jancaitis

jean.jancaitis@oregon.gov



Images: BLM , USFS
& ODFW

News Release // Oregon Parks and Recreation Dept. // FOR IMMEDIATE RELEASE //
January 31, 2017

Media Contact:

Chris Havel, Director's Office, Oregon Parks and Recreation Department
Desk: 503-986-0722 // Cell: 503-931-2590

Neighborhood meetings set for February to discuss 1-mile section of Upper Deschutes State Scenic Waterway

Bend OR – The Oregon Parks and Recreation Department (OPRD) will host three Bend neighborhood forums in February to listen to residents' opinions about the 1-mile stretch of the Upper Deschutes State Scenic Waterway that rests within the Bend Urban Growth Boundary on the southwest side of town.

Date: Thursday, February 16, 2017, Time: 6:30 – 8:00 pm
Location: Cascade Middle School (Cafeteria), 19619 Mountaineer Way, Bend, OR 97702

Date: Friday, February 17, 2017, Time: 6:30 – 8:00 pm
Location: Elk Meadow Elementary School (Gym), 60880 Brookwood Blvd, Bend, OR 97702

Date: Thursday, February 23, 2017, Time: 6:30 – 8:00 pm
Location: Pine Ridge Elementary School (Commons-A), 19840 Hollygrape St, Bend, OR 97702

The rules that apply to the state scenic waterway from the Urban Growth Boundary to the COID Canal are not open for amendment, but the department is conducting a general review to gather community thoughts about current and future needs of the waterway. People who live along or use this stretch of the river are encouraged to attend and offer their thoughts on the status of the river and how the current rules affect the values of the waterway in this 1-mile stretch.

Background information about the review is online at <http://bit.ly/upperdeschutesreview>. For people who can't make a neighborhood meeting, comments are being taken online at <http://solutionsco.org/Crowdsourcing.htm?m=3&s=751>. An advisory group is reviewing the rules and will send its comments to OPRD Director Lisa Sumption this spring.

This portion of the river was added to the state scenic waterway program in 1988 through a ballot measure. The State Scenic Waterway law says fish, wildlife, and recreation are the highest and best uses for scenic waterways. The department has contracted with a local nonprofit, Community Solutions of Central Oregon (<http://solutionsco.org/>), to collect information from the community about their views on the waterway. Community Solutions staff and volunteers are neutral third-party facilitators who do not advocate for, or take positions in support of, any participating stakeholder agency, homeowners or neighborhood association, outdoor recreational group, or private business interest.



Upper Deschutes Advisory Group
 Revisiting the Upper Deschutes State Scenic Waterway

Public Meeting Notice

River community residents of the **Century West Neighborhood Association:**
Tell us what you think about current and future needs and uses of the waterway!

Date: Thursday, February 16, 2017

Time: 6:30 – 8:00 pm

Location: Cascade Middle School (Cafeteria), 19619 Mountaineer Way, Bend, OR 97702

Background Info: www.oregon.gov/oprd/Pages/upper-deschutes-scenic-waterway.aspx

Crowdsourcing Survey: <http://solutionsco.org/Crowdsourcing.htm?m=3&s=751>



Facilitation services for the Upper Deschutes Advisory Group (UDAG) are provided by Community Solutions of Central Oregon (Community Solutions) under contract agreement with the Oregon Parks and Recreation Department (OPRD). Community Solutions staff and volunteers are neutral third-party facilitators who do not advocate for, or take positions in support of, any participating stakeholder agency, homeowners or neighborhood association, outdoor recreational group, or private business interest.



Upper Deschutes Advisory Group
 Revisiting the Upper Deschutes State Scenic Waterway

Public Meeting Notice

River community residents of the **Deschutes River Woods Neighborhood Association:**
Tell us what you think about current and future needs and uses of the waterway!

Date: Friday, February 17, 2017

Time: 6:30 – 8:00 pm

Location: Elk Meadow Elementary School (Gym), 60880 Brookwood Blvd, Bend, OR 97702

Background Info: www.oregon.gov/oprd/Pages/upper-deschutes-scenic-waterway.aspx

Crowdsourcing Survey: <http://solutionsco.org/Crowdsourcing.htm?m=3&s=751>



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Upper Deschutes Advisory Group
 Revisiting the Upper Deschutes State Scenic Waterway

Public Meeting Notice

River community residents of the **Southwest Bend Neighborhood Association:**
Tell us what you think about current and future needs and uses of the waterway!

Date: Thursday, February 23, 2017

Time: 6:30 – 8:00 pm

Location: Pine Ridge Elementary School (Commons-A), 19840 Hollygrape Str, Bend, OR 97702

Background Info: www.oregon.gov/oprd/Pages/upper-deschutes-scenic-waterway.aspx

Crowdsourcing Survey: <http://solutionsco.org/Crowdsourcing.htm?m=3&s=751>



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Topic: what do you think about the current state scenic waterway rules in the 1-mile stretch of the Deschutes River from the Urban Growth Boundary to the COID canal? That's the area between the stars below.

Three meetings to choose from.

These meetings are part of a general review ... they are not about any specific project, and the rules are not open for amendment.





Upper Deschutes Advisory Group

Revisiting the Upper Deschutes State Scenic Waterway

Session 1 – Attendees

Summary

The Upper Deschutes Advisory Group (UDAG) convened at 1:50 pm on Friday, December 16, 2016 at the University of Oregon (UO) Bend Center classrooms in Bend, Oregon. A total of 23 individuals participated, representing six stakeholder agencies, three neighborhood associations, and three outdoor recreation groups. Four additional individuals attended as guests and participated with questions or concerns related to property owners and outdoor recreation.

Attendees

Name	Agency, organization, or business
Chris Havel	Oregon Parks and Recreation Department (OPRD)
Mike Eisele	River Bend Estates
Doug White	River Bend Estates
Jean Jancaitis	OPRD
Val Gerard	DogPAC
Kreg Lindberg	Guest, Community Member At-Large
Michelle Healy	Bend Parks and Recreation District (BPRD)
Don Horton	BPRD
Pam Nettleton	Southwest Bend Neighborhood Association (SBNA)
Nansee Bruce	Century West Neighborhood Association (CWNA)
Peter Russell	Deschutes County
Judy Clinton	Community Member At-Large
Ellen Grover	BPRD
Ambrose Su	River Community property owner
Kevin Larkin	Deschutes National Forest (DNF)
Sara Gregory	Oregon Department of Fish and Wildlife (ODFW)
Nancy Doran	ODFW
Rick Johnson	DogPAC
Janet Gutierrez	Deschutes River Woods Neighborhood Association (DRWNA)
Yancy Lind	Central Oregon Fly fishers
Woody Keen	Central Oregon Trail Alliance (COTA)
Jerry Winegar	OPRD
Colin Stephens	City of Bend

Contact: For questions or comments on the Attendees for Session 1, contact the CS UDAG facilitation team via email | deschutes@solutionsco.org



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Upper Deschutes Advisory Group

Revisiting the Upper Deschutes State Scenic Waterway

Session 1 – Facilitation Record

Summary

The Upper Deschutes Advisory Group (UDAG) convened at 1:50 pm on Friday, December 16, 2016 at the University of Oregon (UO) Bend Center classrooms in Bend, Oregon. The start time was delayed by 20 minutes allowing for late arrivals due to inclement weather. Three individuals from Community Solutions (CS) facilitated the session. A total of 23 individuals participated, representing six stakeholder agencies, three neighborhood associations, and three outdoor recreation groups. Four additional individuals attended as guests and participated with questions or concerns related to property owners and outdoor recreation. There was substantive discussion on a wide-range of State Scenic Waterway subjects to include Federal and State related laws, Bend-area growth and development changes, and river segment rules. The session concluded on time at 3:30 pm. Highlights and substantive comments from each portion of the published agenda follow.

Check in

Following participant introductions, OPRD representative Chris Havel emphasized that the UDAG process is not rule making, that it is a staff action to result in a report to the OPRD Director, and that such requires the help of UDAG participants.

Focal points

Following an overview of the Oregon Scenic Waterways Program by OPRD representative Jean Jancaitis, a guest question concerned whether rules took into consideration data collected by the State. OPRD representative Chris Havel confirmed that no data was considered in rule making, although ODFW representative Nancy Doran did confirm that there is public information on fish and wildlife that can be made available, as needed. Another guest comment emphasized the importance of other data to consider, such as soil disturbance in/around the waterway.

Following an overview on the role of the UDAG by the facilitator, and in response to a guest question, emphasis was placed on the fact that this process was not a rule advisory committee and the UDAG has no decision-making authority from OPRD. Also, clarification as to the geographic scope was offered by OPRD representative Chris Havel in response to a stakeholder agency question. The UDAG focus will be on the River Communities (Segment 4) – to include the Bend Urban Growth Boundary (UGB) – and may review the boundary with the Scenic River (Segment 3) if relevant to the discussions. Additional emphasis was placed on the fact that all rules for other river segments would not be discussed or taken apart.

Following an overview of the group facilitation strategy and participant responsibilities by the facilitator, several questions were answered with the following emphasis: That outreach to seven environmental and conservation groups will occur to gain their perspectives on UDAG discussions and issues; that the OPRD-agreed upon timeline to deliver a UDAG report on March 31, 2017 will likely be pushed until late April, 2017; that consideration is being given to bring in select home/property owners or groups potentially most-impacted by UDAG discussions; that there is no formal decision voting procedure in place nor envisioned for UDAG stakeholders during the process, and; that the UDAG will not need to address anything related to the Bend UGB with exception of its use as a geographic reference point. OPRD representative Chris Havel reemphasized that the UDAG process should help OPRD evaluate whether specific rules intended to protect the most densely populated segment of the waterway are working or not.

In depth discussion followed regarding the UDAG Crowdsourcing initiative. Recommendations and significant emphasis included: That the prompts include more focus on issues related to the river communities; that hunters be added as a self-identifier even if the focus is on the river communities, as wildlife impacts in other segments may become relevant; that issues of traffic, parking, trail head congestion, and bike access be addressed in some way; that issues of a specific project or trail development initiative not drive the review of rules designed to protect the river communities; that other State rules – transportation planning for example – may have an interrelated impact on the goals for the waterway; that clarification of the rules, prompts, response form, and self-identifier choices must be considered to make submission simple for all, and; that UDAG participants be provided a series of maps for reference during discussions which shows accesses into and throughout each river segment. OPRD representative Chris Havel suggests a methodology by which waterway values and rules specific to the river communities segment be addressed in future UDAG sessions. This includes looking at each value and assessing rules that protect that value, whether a rule is working, if there are any related issues, and whether such a value-rule assessment contributes to supporting the entire waterway.

Open forum

Following an overview of both Federal and State Scenic Waterway laws by the facilitator, in-depth group discussion followed on whether the highest and best uses of the waterway are being met. Highlights of the discussion included comments that the USFS sees contradictory goals in each law; that recreational goals and use are having a negative impact. Parking complaints occur daily within the Deschutes National Forest (DNF) boundary upstream. Other participants agreed that some Federal – State goals clash; the DNF is experiencing overuse to the satisfaction of many people, but at the expense of wildlife. ODFW representative Nancy Doran references a recent four-year study of the middle and upper Deschutes in which the impact of outdoor recreational users has devastated fish habitat. Also, there seems to be a great deal of conflicting issues between agencies, districts, and municipalities on how best to manage the waterway as a protected resource. OPRD representatives highlight a perceived dichotomy in the law in which the identified goals are not being adequately addressed through policy implementation; future sessions should open discussion on how such can be better reflected in protective rules. Guests also expressed opinion that water flow and usage is the dominant factor and that irrigation district conflicts gone unaddressed may make any such rule review and changes secondary.

Following an overview of Bend-area growth and development changes by the facilitator, in-depth group discussion followed on other factors that have had a significant impact on the waterway over the past 20 years. Highlights of the discussion included comments from BPRD representative Don Horton about three-fold population growth. This puts pressure on the area, that such growth won't stop, that no known easy solution exists, and most Bend citizens understand this to a large degree. The City of Bend representative Colin Stephens recognized that although State-law mandates that certain activities remain within the UGB, outdoor recreation is not one of those activities. Growth in recreation activities is a significant change in this area. Also, introduction of the Water Overlay Zone introduced controls along the waterway by the City Planning Commission during its design review, to include special areas of interest along the waterway. The Deschutes County representative Peter Russell added that the Landscape Management Zone around the waterway serves to protect scenic values. Also, the County views that regional emphasis on tourism serves to economically drive stress within the waterway environment; how this can be addressed remains to be seen. Other participants agree that State-wide tourism is driven by mandates to spend tax dollars on tourism-related advertising. As such, perhaps use of Statewide lodging taxes could contribute to future stewardship of the waterway. USFS representative Kevin Larkin noted a sea change occurring over the past 20 years in that the community does understand and wants to contribute to stewardship ethics as it relates to the DNF and Deschutes River. Guests participating in the discussion emphasized the adverse impact of homeowner and community fencing on wildlife, as well as continued water extensions that serve to enable the increase of further residential development.

Following an overview of Scenic River and River Community rules by the facilitator, in-depth group discussion followed as to which rules warrant a thorough discussion and why. Highlights of the discussion included OPRD representative Chris Havel suggesting that all rules be discussed in detail. Specifically, how does each River Community rule meet each value as stated in the Comprehensive Management Plan (CMP); to design a grid for these discussions and move through each block-by-block. BPRD representative Don Horton further suggests that the UDAG process may want to focus on much more than just what OPRD requires; taking a broader view, a separate but related assessment of overall management of the waterway as a resource.

Linking points

The facilitator introduced a brief discussion on the impact of such changes, what potential opportunities exist, what other issues remain unaddressed, and what information is needed for future UDAG sessions. Highlights included a participating guest's suggestion that the UDAG process serve as a catalyst for a more holistic approach that includes collaboration amongst other waterway organizations and processes with resource stewardship at the forefront. Other guests emphasized the need for transparency during the UDAG process, as well as recommending a narrower focus for follow on discussions specific to river segment four, the River Communities. An unaddressed issue of great interest to guests was the previous BPRD rule change and river crossing proposal, and whether this issue was expected to be addressed during UDAG or not. OPRD representative Chris Havel acknowledges the gravity of the issue but reiterates the importance of rule-related collaboration; rather than revising rules to meet specific project needs, review and adapt general rules which can remain applicable for years under evolving conditions.

Check out

The facilitator offered some concluding thoughts on major items of discussion during the session to include possible adaptation of management plan provisions to be more consistent with Federal and waterway laws; further exploring the economic impacts of tourism and whether community values include increased stewardship of the waterway as a resource; revisiting the need to closely align statutory waterway goals with river segment values and protective rules; simplifying the Crowdsourcing online process with more specific river community-related prompts, and; working closely with Neighborhood Associations (NA) to coordinate upcoming public meeting forums.

Scheduling the next UDAG session was proposed for Friday, February 20th in a new location with greater capacity. Several stakeholders agreed that future sessions would be best scheduled mid-week and during evening hours.

Facilitator Comments

The CS facilitation team has future scheduling and follow-on session agenda development for action. Additionally, the team will contract for a new location to hold UDAG sessions. Several modifications to the Crowdsourcing effort will also be taken for action, as will making available additional map/overlay resources during future sessions. The team will also prepare a value-rule matrix to aid in future discussions specific to the River Communities (Segment 4). Additional coordination with USFS and ODFW is anticipated in advance of future sessions to possibly have those agencies present DNF and wildlife specific data/studies relevant to UDAG discussions. Also, the team anticipates continued coordination with NA and other homeowner groups to ensure equitable representation at future UDAG sessions.

Contact: For questions or comments on the Facilitation Record for Session 1, contact the CS UDAG facilitation team via email | deschutes@solutionsco.org



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Upper Deschutes Advisory Group

Revisiting the Upper Deschutes State Scenic Waterway

Session 2 – Facilitation Record

Summary

The Upper Deschutes Advisory Group (UDAG) convened at 6:30 pm on Wednesday, January 25, 2017 at Central Oregon Community College, Health Careers Center classroom 140 in Bend, Oregon. A total of 11 individuals participated, representing four stakeholder agencies, three neighborhood associations, one outdoor recreation group, one representative property owner, and one community member at-large. Representatives from two stakeholder agencies were unable to attend; ODFW and the City of Bend. There was substantive discussion on a specific segment of the State Scenic Waterway; the one-mile River Community area 4G, bounded by the Bend Urban Growth Boundary (UGB) and Central Oregon Irrigation District (COID) diversion. The session concluded on time at 8:30 pm. Highlights and substantive comments from each portion of the published agenda follow.

Check in

Following participant opening comments, OPRD representative, Chris Havel emphasized a specific focus on River Community area 4G for the evening and future UDAG sessions. The facilitator announced unfortunate problems with the classroom audio-visual suite and the decision was made to proceed regardless. Highlights from Session 1 were reviewed, followed by an update on improvements to Crowdsourcing website instructions and response form layout. A general assessment of the first 50 responses was provided and included trends in areas most mentioned.

Focal points

The Facilitator emphasized several online studies available for participants to review. This included the *Outdoor Recreation Demand Analysis - SCORP Region 7, 2013-17*, and an earlier study titled *Ecosystem Services Framework for Forest Stewardship – Deschutes National Forest 2011*. Each provides relevant data on recreational use, forest capacity, economic impacts, and more. Aspects of stewardship and tourism were also mentioned to remind participants that these dynamics have heightened importance to area communities.

Open forums 1 & 2

A presentation of River Community area 4G was presented using Google Earth. Important landmarks, communities, and boundaries were highlighted to participants. The Facilitator then introduced the Values-Rules Assessment (VRA) matrix, its design and intended use as a working aid for discussions. A participant asked whether the approach will also be used for other River Community areas upriver; OPRD representative, Chris Havel responded that the group will not apply assumptions about area 4G to other River Communities. General questions about the VRA

matrix were then answered by the Facilitator and following a short break, participants proceeded to discuss whether each rule had a role, and if so to what degree, in protecting each of eight values identified in the Comprehensive Management Plan (CMP). Clarifications on rule and value language was quoted by the Facilitator directly from the CMP. Participants briefly discussed each value-rule intersection on the VRA matrix, often taking time to clarify their perspectives to one another. The Facilitator took a general vote for each value-rule intersection and color-coded each based on group consensus. Color codes used were green for a 'strong role,' yellow for a 'weak role,' red for 'no role,' and gray for an 'unknown role.' The resulting VRA matrix follows, a more detailed version of which will be provided to participants during Session 3.

Upper Deschutes State Scenic Waterway Values - Rules Assessment										
Land Management Rules for Segment 4: Scenic River and River Community Areas & Incorporated OAR CMP pages 53-55										
	A. Setback 300 ft minimum HWL; 20 ft minimum EBR	B. Visual Blend color/tone with landscape & vegetative screen	C. Bridges Not permitted; only for existing bridge repairs	D. Public Closure from view new commercial facilities	E. Utility Share space for new facilities & upgrades	F. Crossings Not permitted; new or above ground including utilities	G. Development Obscure from view all to include roads & reties	H. Recreation Blend with landscape public improvements	I. Timber Harvest activities not visible & 1-year for re-forestation	
Outstandingly Remarkable Values CMP pages 24-25	1. Geologic	1A	1B	1C	1D	1E	1F	1G	1H	1I
	2. Hydrologic	2A	2B	2C	2D	2E	2F	2G	2H	2I
	3. Fishery	3A	3B	3C	3D	3E	3F	3G	3H	3I
	4. Vegetation	4A	4B	4C	4D	4E	4F	4G	4H	4I
	5. Wildlife	5A	5B	5C	5D	5E	5F	5G	5H	5I
	6. Cultural	6A	6B	6C	6D	6E	6F	6G	6H	6I
	7. Scenic	7A	7B	7C	7D	7E	7F	7G	7H	7I
	8. Recreation	8A	8B	8C	8D	8E	8F	8G	8H	8I
Key	Strong Role	Weak Role	No Role	Unknown Role						

Linking points

The Facilitator transitioned into the strategy for the upcoming Public Meetings planned in late February. Emphasis was placed on the public notice mail-out from OPRD, as well as NA representative assistance in posting Public Meeting details via *Nextdoor.com*. OPRD representative, Chris Havel announced plans for an upcoming press release as well.

Check out

UDAG Session 3 to be held Wednesday, February 15, 2017 from 6:30-8:30 pm at COCC.

Facilitator Comments

The CS facilitation team has future scheduling and follow-on session agenda development for action. Additionally, final modifications to the Crowdsourcing effort will be taken for action, to include more in-depth analysis of respondent submissions. Additional coordination with ODFW and City of Bend representatives is needed to ensure their continued participation. Final planning and coordination with NA representatives for late February Public Meetings is anticipated.

Contact: For questions or comments on the Facilitation Record for Session 2, contact the CS UDAG facilitation team via email | deschutes@solutionsco.org



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Upper Deschutes Advisory Group

Revisiting the Upper Deschutes State Scenic Waterway

Session 3 – Facilitation Record

Summary

The Upper Deschutes Advisory Group (UDAG) convened at 6:30 pm on Wednesday, February 15, 2017 at Central Oregon Community College (COCC), Health Careers Center classroom 190 in Bend, Oregon. A total of 15 individuals participated, representing five stakeholder agencies, three neighborhood associations, one outdoor recreation group, two representative property owners, and one community member at-large. Representatives from one stakeholder agency were unable to attend; U. S. Forest Service, Deschutes National Forest (DNF). There was discussion on a specific segment of the State Scenic Waterway; the one-mile River Community area 4G, bounded by the Bend Urban Growth Boundary (UGB) and Central Oregon Irrigation District (COID) diversion. The session concluded on time at 8:30 pm. Highlights and substantive comments from each portion of the published agenda follow.

Check in

The Facilitator briefly updated participants on parking and room assignment changes for future sessions. Highlights from Session 2 were reviewed, followed by an update on Crowdsourcing responses through January 31st. An increase in responses has been noted and the results are being assessed through identification of major trends and areas of emphasis by respondents. Thus far, four major trend areas include increasing development, citizen concerns, limiting development, and waterway protections (the largest trend category). Two suggestions were made to simplify future Crowdsourcing updates. Also, a brief Progress Status timeline was displayed with key UDAG activities past, present, and future shown through May 5, 2017. Following this, the Session 3 agenda was reviewed in detail by the facilitator.

Focal points

The Facilitator briefly reviewed the color-coding system developed by UDAG to complete the initial Values-Rules Assessment (VRA) matrix, noting that there were not objective criteria used to determine color-coding, only discussion and consensus by participants on each of 72 Values-Rules matrix intersections. After a review of the current VRA matrix, UDAG focused on 'hot spot' areas color-coded red or gray. As an example, the facilitator noted there was not consensus by participants on the roles that rules play in protecting the Fishery Value. A detailed discussion ensued during which the ODFW representative emphasized a desire to completely revisit the Fishery and Wildlife Values as color-coded in the VRA matrix. Specific to rules prohibiting bridges and crossings (VRA Rules C. and F. of the matrix), the ODFW representative commented that these should be viewed as strong protective rules for Fishery. Also, ODFW thought that such protections are not intended solely to be about 'the fish', and that since the rainbow trout study is ongoing, the Fishery Value should be deemed important for the foreseeable future. The Bend Parks and Recreation District (BPRD) representative emphasized that the impacts of bridge

construction versus bridge operations should be divorced; they are not the same but different. Also, BPRD noted that such rules are in fact weak, if not none prohibitive due to the provision allowing any project to proceed after a one-year waiting period. The Oregon Parks and Recreation Department (OPRD) representative directed color-coding of these two items as green-gray, signifying the remaining contentious nature of the matter. A brief discussion followed with consensus that the rule on setback requirements (VRA Rule A. of the matrix) was in fact a strong protection for the Recreational Value. The resulting VRA matrix follows, a more detailed version of which will be provided to participants during Session 4. Changes in color-coding were made to matrix intersections 3C, 3F, and 8A.

Upper Deschutes State Scenic Waterway Values - Rules Assessment										
Land Management Rules for Segment 4G: River Community Area & Incorporated OAR CMP pages 53-55										
	A. Setback 100 ft minimum HWL; 20 ft minimum ERR	B. Visual Blend color/tone with landscape & vegetative screen	C. Bridges Not permitted; only for existing bridge repairs	D. Public Obscure from view new commercial service facilities	E. Utility Share space for new facilities & upgrades	F. Crossings Not permitted; new or above ground including utilities	G. Development Obscure from view all to include roads & mines	H. Recreation Blend with landscape & public improvements	I. Timber Harvest activities not visible & 1-year for reforestation	
Outstandingly Remarkable Values CMP pages 24-25	1. Geologic	1A	1B	1C	1D	1E	1F	1G	1H	1I
	2. Hydrologic	2A	2B	2C	2D	2E	2F	2G	2H	2I
	3. Fishery	3A	3B	3C	3D	3E	3F	3G	3H	3I
	4. Vegetation	4A	4B	4C	4D	4E	4F	4G	4H	4I
	5. Wildlife	5A	5B	5C	5D	5E	5F	5G	5H	5I
	6. Cultural	6A	6B	6C	6D	6E	6F	6G	6H	6I
	7. Scenic	7A	7B	7C	7D	7E	7F	7G	7H	7I
	8. Recreation	8A	8B	8C	8D	8E	8F	8G	8H	8I
Key		Strong Role	Weak Role	No Role	Unknown Role	Divided Role				

The Facilitator then introduced whether the Values themselves were clear or not. Per initial discussions on the Fishery Value alone, and the fact that some Values do not seem to be well-protected (as reflected in the VRA matrix), each should be reviewed to see if any can be clarified, or if other more local, community-based Values should be added.

Open forum 1

The Facilitator introduced a more thorough exploration of the Values and UDAG participants' understanding or interpretation of them, as written in the Comprehensive Management Plan (CMP). Initial discussion was on whether all Values were relevant to river segment 4G. Most participants believed the Values were relevant to river segment 4G, but that this topic can be considered between sessions. Also, the local, community-based issues of 'access' to and 'safety' within the DNF and Upper Deschutes State Scenic Waterway were discussed. Whether such issues raise to the level of Value as written in the CMP was not decided. The OPRD representative suggested that with consideration to the present Values, perhaps UDAG should review whether new or other rules present in different Oregon Revised Statutes (ORS) apply to the waterway in general, river segment 4G specifically. Neighborhood Association (NA) and City of Bend representatives voiced concern that should 'access' become more prevalent, the unintended consequences could be that the City of Bend will require more police, fire and rescue resourcing to meet increased 'safety' concerns and incidents in the waterway. Also, the ODFW representative noted that Fishery and Wildlife Values especially are 'transient' – fish and animals move, and are not static within the waterway. As such, the protections for all Values contribute to Fish and Wildlife protections, whether within river segment 4G or elsewhere.

Open forum 2

After a brief break, the Facilitator introduced a more thorough exploration of the Rules and UDAG participants' understanding or interpretation of them, as written in the CMP. Discussion led to comments that some Rules were subjective, yet some were objective, such as those prohibiting bridges and crossings (VRA Rules C. and F. of the matrix). Other Rules on utilities and timber (VRA Rules E. and I. of the matrix) were equally objective. The OPRD representative emphasized that when projects in the waterway are proposed, an OPRD coordinator views each Rule in terms of clarity, including staff standards and factors employed but not written into the Rules. Other participants noted that some Rules may be clarified by adding 'natural *and native*' wording when specifying vegetative screening requirements. There was consensus that the recreation Rule (VRA Rule H. of the matrix) was ambiguous due to the 'blend' wording which, although open to interpretation, most agreed that the intent was clear.

Linking points

The Facilitator previewed upcoming neighborhood/public meetings, how people were invited and how each meeting is to be conducted. Although an extensive mail-out announcement reached over 5,800 residents in/around the waterway, suggestions were made to conduct a broader, City-wide mailing. The OPRD representative will consider an additional mailing to those who may have missed the public meetings, inviting them to contribute their ideas to UDAG via Crowdsourcing.

Check out

UDAG Session 4 to be held Wednesday, March 8, 2017 from 6:30-8:30 pm at COCC. Future dates for follow-on sessions were also provided and include March 22, April 5, and April 19, as needed. Participants were advised that a Crowdsourcing directions page will be routed prior to the next session for further forwarding amongst stakeholder agency and NA group networks.

Facilitator Comments

The CS facilitation team has future scheduling and follow-on session agenda development for action. Modifications to the Crowdsourcing assessment will also be taken for action. Additional coordination with USFS-DNF representatives is needed to ensure their continued participation. Between session comments will be requested of UDAG participants on whether participants have suggestions to improve or clarify the Values. Finally, the Interim Report will be a major focus, a draft of which will be provided to UDAG participants prior to submission to OPRD.

Contact: For questions or comments on the Facilitation Record for Session 3, contact the CS UDAG facilitation team via email | deschutes@solutionsco.org



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Upper Deschutes Advisory Group

Revisiting the Upper Deschutes State Scenic Waterway

Session 4 – Facilitation Record

Summary

The Upper Deschutes Advisory Group (UDAG) convened at 6:30 pm on Wednesday, March 8, 2017 at Central Oregon Community College, Health Careers Center classroom 190 in Bend, Oregon. A total of 13 individuals participated, representing five stakeholder agencies, two neighborhood associations, and one outdoor recreation group. Two property owners, one community member at-large, and two guests also attended. A representative from the Oregon Department of Fish and Wildlife (ODFW) was not available to attend. There was continued discussion on State Scenic Waterway (SSW) Values and rules specific to sub-segment 4G. The session concluded on time at 8:30 pm. Highlights and substantive comments from each portion of the published agenda follow.

Check in

The Facilitator briefly reviewed highlights from Session 2, followed by an update on Crowdsourcing responses through February 15, 2017. Thus far, 161 responses have been reviewed, with major trend categories and areas of emphasis documented in the results. The largest trend category includes input from respondents 'advocating protections,' followed closely by respondents who emphasize needs for 'limiting development.' Additionally, a summary of the February public meetings was provided; an estimated 175 individuals attended three total meetings held on February 16, 17 and 23, 2017. A public meeting facilitation record, and digital recordings of each meeting are available via the OPRD website. Following this, the Session 4 agenda was reviewed in detail by the facilitator.

Focal points

The Facilitator briefly reviewed the Values-Rules Assessment (VRA) matrix (version 2.0), noting that there have been no changes since Session 3. The Oregon Parks and Recreation Department (OPRD) representative clarified that completion thus far of the VRA matrix was a result of participant discussions and their individual/collective input/experience. The VRA matrix is and should not be viewed as a final determination on rule efficacy. A private property owner commented that since the highest and best use for the SSW is for Fish, Wildlife, and Recreation (Values), that perhaps the VRA matrix could become a weighted analysis of protection efficacy for each rule.

The Facilitator then reviewed the Values-related feedback received from UDAG participants, as requested in response to Session 3 discussions. Three questions about the Outstandingly Remarkable Values (Values) were posed to participants; summarized responses were provided in the Session 4 Slides. Most respondents felt the Values, as named categorically (Wildlife, Recreation, etc.), were clear as written. However, some of the descriptive language for certain Values (Fish, Scenery) remains unclear and could be improved to remove any ambiguity or possibility of misinterpretation.

Whether any community-based Values served to conflict/confuse the discussion, examples of local irrigation and hunting practices may in fact be at odds with SSW Values. A related discussion on trails access and use, as valued by many in the local communities, lead to the issue of whether condemning private property for recreational trail expansion is a legitimate public concern, or overly serving to muddy the discussion. The City of Bend and Bend Parks and Recreation District (BPRD) representatives noted that as such is a codified right of eminent domain, the public perception isn't relevant. This said, no example of using the power of eminent domain for the sake of expanding recreational trails has ever documented locally.

As for the relevance of Values due to the intensity of river use and access; respondents had varying opinions. Some felt that more use should result in even stronger protections; especially for Fish, Wildlife, and Recreation. A private property owner commented that the Hydrologic Value is adversely impacted by the local use of river water to meet irrigation needs, which is at odds with use of river water to meet Scenic and Recreational Values.

Open forum 1

The Facilitator introduced the first of two exercises focused on rules for river sub-segment 4G. The first exercise (barnstorming) grouped 3-4 participants together as a team with instructions to discuss each rule, in turn and identify specific resources linked to the monitoring, management, or enforcement of that rule. The teams wrote down 'Rule-Resource' linkages and a brief discussion followed as each team read out loud their input. *For detailed results, see the 'UDAG Session 4 Exercises' document posted to the OPRD website.*

Open forum 2

After a brief break, the Facilitator introduced second of two exercises. The second exercise (brain-writing) asked individual participants to write down on stick-pads two items. First, any specific change to a 'current' rule they felt would improve or clarify its

protective intent. Secondly, any suggestion for a 'new' rule by topic with brief descriptive language for that rule and its protective intent. The participants then grouped all individual 'Rule-Protection' options with the assistance of the Facilitator. *For detailed results, see the 'UDAG Session 4 Exercises' document posted to the OPRD website.*

Linking points

The Facilitator previewed the intent, outline and key points contained within the current Draft Interim Report (the report) submitted to OPRD March 8, 2017. Primary intent was to *detail the process* being used; secondary intent was to highlight *key issues and challenges* thus far. The report outline is basic in structure and includes an executive summary, background information, specifics on both stakeholder and public engagement, and perspective on the key issues discussed, planned next steps, and challenges faced and overcome during the process. The Final Report is planned for submission no later than May 5, 2017 and will contain details on key issues and recommendations.

Check out

UDAG Session 5 to be held Wednesday, March 22, 2017 from 6:30-8:30 pm at COCC. Future dates for follow-on sessions were also provided and include April 5 and April 19, as needed.

Facilitator Comments

The CS facilitation team has future scheduling and follow-on session agenda development for action. As mentioned, the Crowdsourcing initiative will be available online for public input through Wednesday, April 12, 2017. A notice will be posted to the Crowdsourcing webpage. Additional coordination with ODFW representatives is needed to ensure their continued participation. Specific questions related to current rules will be sent to UDAG participants prior to subsequent sessions.

Contact: For questions or comments on the Facilitation Record for Session 4, contact the CS UDAG facilitation team via email | deschutes@solutionsco.org



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Upper Deschutes Advisory Group

Revisiting the Upper Deschutes State Scenic Waterway

Session 5 – Facilitation Record

Summary

The Upper Deschutes Advisory Group (UDAG) convened at 6:30 pm on Wednesday, March 22, 2017 at Central Oregon Community College, Health Careers Center classroom 190 in Bend, Oregon. A total of 15 individuals participated, representing six stakeholder agencies, three neighborhood associations, and one outdoor recreation group. One property owner, one community member at-large, and one guest also attended. The primary focus of discussions was Oregon Goal 5 and its continued importance and impact on State Scenic Waterway (SSW) management efforts. The session concluded on time at 8:30 pm. Highlights and substantive comments from each portion of the published agenda follow.

Check in

The Facilitator briefly reviewed highlights from Session 4, which included a discussion on the brainstorming sessions to identify both rule-resource linkages and rule-protection options. This was followed by an update on crowdsourcing responses through February 25, 2017. Thus far, 235 responses have been reviewed, with major trend categories and areas of emphasis documented in the results. The largest trend category includes input from respondents 'advocating protections,' followed closely by respondents who emphasize needs for 'limiting development.' Following this, the Session 5 agenda was reviewed in detail by the facilitator.

Focal point

The Facilitator briefly reviewed Oregon Goal 5, with emphasis on the Goal intent to protect natural resources, scenic and historic areas, and open spaces. Goal and related Oregon Administrative Rules (Chapter 660, Divisions 16 and 23) were then described and how cities and counties are to plan and zone land to conserve resources listed in the goal. Also, the five-step planning process to analyze economic, social, environmental, and energy (ESEE) consequences of potential Goal 5 resource conflicts was reviewed, to include how municipalities decide whether a resource should continue to be fully or partially protected following such analysis. The City of Bend identified its Goal 5 resources as the Upper Deschutes SSW and up to 30 historical structures City-wide. As of now, the local Deschutes River Trail (DRT) has not been designated as a Goal 5 resource.

Open forum 1

The Facilitator introduced the first of two focused discussions. Do land use conflicts on, near, or between identified Goal 5 resources exist? If so, is the ESEE decision process needed to help determine what the geographic limits are of impact areas involved? Also, does the City of Bend have appropriate programs in place to achieve Goal 5 even if land use conflicts exist? Substantive discussion followed, to include comment by many about the relevance of and ambiguity inherent within Goal 5.

The City of Bend representative emphasized that if a project meets local zoning ordinance standards than it would not trigger a Goal 5 analysis as outlined earlier; such analysis is not done on potential case-by-case resource conflicts. Other participants emphasize that once the analysis has been completed in planning, City programs are put in place to further monitor and manage conflicts. However, should a SSW rule change then a potential future project within the waterway could trigger conflicting land use per Goal 5.

The Bend Park and Recreation District (BPRD) representative mentions the ongoing review of the BPRD Comprehensive Management Plan and whether the City of Bend rules (outside the SSW rules) offer enough protections of Goal 5 resources, especially further development. Most agree that the City codes provide a great deal of protection. The OPRD representative also emphasizes that State law should dictate what is done. Although local protections are reviewed by the State in determining SSW designations, the State has not gone back to review such designations once a local law or protection is changed. In the case where SSW sub-segment 4G lies within the City of Bend urban growth boundary (UGB), any local code changes could have an impact on future SSW designation. Although no precedent exists, it is a potential dynamic to study for future decision making at the State level.

Open forum 2

After a brief break, the Facilitator introduced second of two focused discussions. The current boundary between River Community sub-segment 4G and the Scenic River sub-segment 4F is located at the South City of Bend Urban Growth Boundary (UGB), river mile 172. Is there need to change the boundary location, and if so, where would a potential new boundary be located? The OPRD representative emphasized that this would mean either moving the scenic river/river community boundary (4F/4G) upriver (southwest) or downriver (northeast). Several participants comment that the 4G sub-segment seems more scenic than community in nature; with the additional of few homes and in-fill along the corridor banks, the river has changed little in 20 years. Yet, as River Rim Estates continues its next phase of development, the river community designation seems likely.

The OPRD representative also emphasized that only through U. S. Congressional action can a Federal Scenic and Wild river designation be changed. Many agree that the issue does not need to be addressed unless rules change in in sub-segment 4G. Again, no precedent has been set by other municipalities experiencing similar growth-change along a SSW. This said, ORPD recognizes that SSW segment boundaries are established by administrative rules, not by statute. Yet, if a boundary were to be changed it is highly likely there would be federal implications to doing so.

Linking point

The Facilitator introduced objectives for the concluding session to be held in two weeks. These include documenting participants' positions on the relevance of sub-segment 4G as part of the SSW; defining participants' top issues on which they can reach consensus, and; detailing the principal contentious issue remaining for and/or amongst participants.

The Final Report is planned for submission no later than May 5, 2017 and will contain details on key issues and suggestions for the OPRD staff and Director.

Check out

UDAG Session 6 to be held Wednesday, April 5, 2017 from 6:30-8:30 pm at COCC. Future dates for follow-on sessions will be provided, as needed.

Facilitator Comments

The CS facilitation team will coordinate input with BPRD and a private outdoor recreational advocate to include separate presentations to UDAG during the final session. Final report preparation and coordination with stakeholders and participants is ongoing. Finally, the Crowdsourcing initiative will be available online for public input through Wednesday, April 12, 2017 after which time all public comment will discontinue so that final results can be assessed and included in the final report.

Contact: For questions or comments on the Facilitation Record for Session 5, contact the CS UDAG facilitation team via email | deschutes@solutionsco.org



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Upper Deschutes Advisory Group

Revisiting the Upper Deschutes State Scenic Waterway

Session 6 – Facilitation Record

Summary

The Upper Deschutes Advisory Group (UDAG) convened at 6:30 pm on Wednesday, April 5, 2017 at Central Oregon Community College, Health Careers Center classroom 190 in Bend, Oregon. A total of 17 individuals participated, representing six stakeholder agencies, three neighborhood associations, and one outdoor recreation group. Two property owners and one guest also attended. The primary focus of discussion was on clarifying differences between community needs and positions/issues that have been expressed during the UDAG process. Also, presentations from Bend Park and Recreation District (BPRD) and a private outdoor recreational advocate were also received. The session concluded on time at 8:30 pm. Highlights and substantive comments from each portion of the published agenda follow.

Check in

The Facilitator briefly reviewed highlights from Session 5, which included in-depth discussion about Oregon Goal 5 resources and its impact on local City/County land use policies. Also, the previous discussion on whether a boundary change was needed between State Scenic Waterway (SSW) sub-segments 4F and 4G was reviewed. This was followed by an update on crowdsourcing responses through April 4, 2017. Thus far, 304 responses have been reviewed, with major trend categories and areas of emphasis documented in the results. The largest trend categories include input from respondents 'advocating protections,' followed closely by respondents who emphasize needs for 'limiting development.' Following this, the Session 6 agenda was reviewed in detail.

Focal point

The Facilitator provided a brief tutorial on the differences between community needs and the positions/issues heard throughout the UDAG process. *Positions (or Issues)* are not Needs. Positions serve to define what is desired from an individual or collective group perspective. They are often based on some underlying *Need*. In contrast, needs are different than positions/issues. Needs serve as the basis or underlying reason for which one develops, takes, or expresses a given position, issue, strategy, or approach. As an example, several community positions/issues expressed during the UDAG process included, but were not limited to the following:

- Build a bridge.
- Expand the trail network.
- Protect private property.
- Enforce current rules.

Rarely however, were needs expressed in detail. Based on group discussions, public meeting commentaries, and individual crowdsourcing inputs received, several underlying community needs can be ascertained, examples for some of which follow:

- Development
- Access
- Investment
- Stewardship

Awareness of community positions/issues and corresponding needs is critical to public agency policy making, code enforcement, and program management efforts. During UDAG a narrow review of key positions/issues related to SSW sub-segment 4G have been discussed. A much wider sampling or input mechanism would be required from the local population to more accurately determine the overarching community needs required.

Open forum 1

The Facilitator introduced the first of two presenters to the group. The BPRD representative to the group provided an overview of the ongoing BPRD comprehensive planning process, and an interactive demonstration of the web-based tool used to capture community priorities, ideas and concerns for outdoor recreation. Further analysis of tool-provided input from the public is ongoing, as is the results from a corresponding mail-out survey. BPRD has noted a very high response rate from the public, to include high levels of support for trail expansion and bridge connections within the SSW.

Open forum 2

After a brief break, the Facilitator introduced the second of two presenters to the group. A private outdoor recreational advocate presented State-wide survey perspectives to how Oregonians view SSW and trails in the State. Survey respondents most expressed the need for a State Scenic Waterway to protect fish and wildlife and the natural environment. Also, survey respondents voiced high priority for repairing major trail damage and protecting natural features.

Linking points

Per verbal agreement between OPRD and UDAG stakeholders and participants, no further group sessions will be held. Following submission of the final report, OPRD will be sending all UDAG stakeholders and participants separate comments. The OPRD representative to UDAG then offered closing comments, summarized as follows:

- Acknowledged the work of the facilitators to help OPRD undertake a new process.
- Emphasized the need for local ideas to be heard and recognized by the State.
- Stressed the importance of the final report as a view towards how one waterway contributes to the whole and how rules function and serve their given locality.
- Lessons learned include the fact that OPRD will now take a much larger view on how they do their job to protect the public interest.
- Submitted that other waterway reviews will take collect feedback and improve the structure and process for the future.

Final input from group participants followed, summarized as follows:

- Connective trails do exist along the SSW, just not in the location(s) that some want.
- With no enforcement provision in the SSW Act, State and local authorities cannot bar specific actions or projects.
- For a local project to move forward, a Notice of Intent (NOI) must be issued and an application to develop/build must be signed off by a private land owner.
- If rule making is opened by the State, both Comprehensive Management Plan (CMP) signatories and environmental experts must be involved on decision-making.
- The City of Bend recognizes a river area of special interest, which does allow bridges to be built; the City development code has the authority to make this decision.
- The quantity and quality of outdoor recreation is what brings most people to Bend, whether for tourism or to live; the quality of our environment must remain paramount.
- Connectivity to National Forest lands is desired by many at the local level, but a project to bring access via trails and bridges is assigned a listed, competing priority.
- BPRD works hard to develop projects that are in the best interests of the community, and they advocate for opening the SSW rules to further a bridge project option.

Check out

The Facilitator thanked all UDAG stakeholders and participants for their time, effort, and commitment to the process. Each group participant can expect a check-out call or scheduled visit in the coming weeks, as well as an opportunity to review and provide input to the draft final report during late April/early May 2017.

Facilitator Comments

The CS facilitation team will coordinate input on the final report with stakeholders and participants. The Crowdsourcing initiative will be concluded April 12, 2017 with results summarized online and provided within the final report as a separate appendix. Post-UDAG surveys will also be sent to all involved, a summary assessment of which will be forwarded to OPRD at conclusion of all UDAG-related work.

Contact: For questions or comments on the Facilitation Record for Session 6, contact the CS UDAG facilitation team via email | deschutes@solutionsco.org



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Oregon Parks and Recreation Department Director decides not to re-open rulemaking for Upper Deschutes State Scenic Waterway



May 10, 2017

Bend OR -- Oregon Parks and Recreation Department Director Lisa Sumption has decided not to pursue rule amendments on the Upper Deschutes State Scenic Waterway. Sumption made her decision after studying a report summarizing input from an advisory group that reviewed current regulations and comments collected through public meetings and web surveys. The report and other documents related to the review are online at <http://bit.ly/upperdeschutesreview>.

Aided by a local nonprofit facilitator, Community Solutions of Central Oregon, department staff convened an advisory group and gathered input from the general public to complete a limited review of all rules affecting the 1-mile section of the Scenic Waterway within Bend's southern urban growth boundary. The review focused on the perceived effectiveness of current rules intended to protect fish, wildlife, cultural resources, recreation, and other river values. Scenic Waterway rules cover not just bridges and crossings, but vegetation management, the visibility of structures and recreation facilities, the placement of commercial services, as well as other protections intended to preserve river values.

Community Solutions of Central Oregon summarized comments from the advisory group, three open house public meetings, and more than 300 online comments to produce the May 5, 2017 report. It emphasized several main issues:

- + Demand for recreational opportunities is increasing, putting pressure on natural resources and raising concerns among property owners adjacent to major recreation corridors.
- + Fish, wildlife, recreation, scenic, and other waterway values may receive variable levels of protection by current scenic waterway rules.
- + Continued development pressure means more coordination and cooperation are needed between public agencies, residents, and recreation enthusiasts.
- + The balance between recreation, resource protection, and property rights is strained.

Based on the report, Director Sumption concluded that, while increased coordination with public, private, and other governmental organizations could improve rule effectiveness, she found no reason to pursue a rule amendment specific to the Upper Deschutes.

"I would reconsider amending rules in the future if that would clearly strengthen protection of the waterway," Sumption said. "As important as recreation is to our mission, it has to be balanced with our need to protect resources that make recreation possible. Changing rules, especially in a way that might encourage more visible riverside development, is contrary to the purpose of the scenic waterway system."

Instead, Sumption directed department staff to work with other statewide agencies on ideas to strengthen criteria and standards for protecting resources, especially fish and wildlife, on current and future waterways as part of a broader effort to fulfill the intent of the original 1970 State Scenic Waterway law.

"There is no clear way to gauge how successfully the State Scenic Waterway Program protects our most scenic rivers and lakes," said Director Sumption, "While we've finished looking at this one small portion of the Upper Deschutes and plan no further action there, the review has highlighted an important statewide need for better management of the system."

Landowners along State Scenic Waterways are asked to follow basic rules intended to preserve riparian habitat and mitigate the intrusion of new development on the public's recreational experience of the river. Oregon Parks and Recreation Department staff review projects and work with landowners to help them develop and care for their property in ways that comply with State Scenic Waterway rules. In rare cases where a compromise can't be found and the property owner receives a denial from the department, the law allows the property owner to set aside the scenic waterway rule after a 1-year waiting period.

More information about the state scenic waterway system is online
at <http://www.oregon.gov/oprd/NATRES/scenicwaterways/Pages/index.aspx>



Community Solutions of Central Oregon

May 5, 2017

Oregon Parks and Recreation Department

Attention: Director, Lisa Sumption
725 Summer Street NE, Suite C
Salem, OR 97301

Director Sumption,

Per the provisions of the contract for services with the State of Oregon, the enclosed Final Report outlining key issues identified over the course of Upper Deschutes Advisory Group activities is submitted for your review and consideration. As with all related work products thus far, I am pleased to provide this report as a final contribution to the public record.

The report identifies key issues that are both local and broad ranging in nature, all of which have some level of community, regional, and possibly State and Federal consequence as they relate to the management of the Upper Deschutes State Scenic Waterway. Suggestions are provided on each issue as a way of moving towards solutions acceptable to those involved and impacted.

It has been a pleasure working with your staff, the many stakeholders involved, and of course the citizens of Bend area communities who enjoy the Upper Deschutes State Scenic Waterway. May we all continue to benefit from the many options afforded us in this unique region of Oregon.

For Community Solutions,

Gary Winterstein
Executive Director
director@solutionsco.org

Copy to:
UDAG Stakeholders/Representatives
CS2016-029 Files



Upper Deschutes Advisory Group

Revisiting the Upper Deschutes State Scenic Waterway

Final Report

Executive Summary

The submission of this final report marks the conclusion of Upper Deschutes Advisory Group (UDAG) activities related to the limited segment review of the Upper Deschutes State Scenic Waterway. The UDAG process included various group discussions, public commentaries, and crowdsourcing inputs, all of which contributed greatly to awareness of and communications about the many issues involved. Twenty-two UDAG related forums over a six-month period included engagement and participation by more than 385 individuals from the greater Bend area. The community and the principal stakeholder agencies involved in UDAG were well informed and actively committed to the process at all stages. Although consensus was common on several UDAG related matters, there remains contentious and high-profile issues related to Bend area future development, property rights, and resource protection. Key issues are identified in this report, with suggestions provided for how each may be proactively addressed. Final considerations are offered that may serve to enhance management of the State Scenic Waterways program by OPRD and other stakeholders. For a detailed listing of UDAG related forums, see Appendix A.

References

- A. Oregon Scenic Waterways Act, Oregon Revised Statutes 390.805 to 390.940
- B. Oregon Administrative Rule 736-040-0073, Upper Deschutes River Scenic Waterway
- C. Upper Deschutes Wild and Scenic River and State Scenic Waterway, Comprehensive Management Plan, July 1996.
- D. State of Oregon Parks and Recreation Department, Contract for Services OPRD 7824 with Amendments 1-2, Upper Deschutes River State Scenic Waterway Rule Review, August 2016.
- E. Community Solutions of Central Oregon, Interim Report, Upper Deschutes Advisory Group, March 2017.

F. Oregon Parks and Recreation Department, Upper Deschutes State Scenic Waterway Limited Segment Review: www.oregon.gov/oprd/Pages/upper-deschutes-scenic-waterway.aspx

Key Issues

The following key issues have been identified over the course of UDAG activities. They are not listed in priority order or weight of importance. Collectively they form a summation of concerns discussed, debated, or commented on. Although UDAG stakeholders and participants have either public or private positions on each issue, those positions are not addressed here. What is addressed are the underlying needs of stakeholders, participants, and communities involved. Summary perspectives are also included, each discerned from what was heard during each of the three major engagement methods used during the UDAG process. Suggestions are provided for OPRD staff or director decision-making as ways of proactively addressing an issue at hand.

1. Issue: Impact of the administrative rule prohibiting bridges over the waterway.

a. Observation. *This is a contentious issue.* Even though many in the local community either support or oppose the rule prohibiting a bridge crossing, thus far neither side has demonstrated overwhelming influence on State or local decision-makers to definitively put the matter to rest. Although a previous request for rule amendment to allow a pedestrian bridge was denied by OPRD, this issue remains at the forefront of State and local debate, both public and private. The intended impact of this or any State Scenic Waterway administrative rule – especially those in place for designated river community segments – is to slow the rate of development change while continuing to protect the outstandingly remarkable values identified for the waterway. In this case, local outdoor recreation dynamics will continue to create pressure on State and local authorities regardless of statutes, rules, or policies in place. That pressure may lead to decisive actions that either bring change or reinforce status quo.

b. Perspectives. Positions on this issue are many, to include those of UDAG stakeholders, representatives, and the public.

(1) Advisory group discussions. The initiative to construct a pedestrian bridge over the waterway is based on two important recreational needs as expressed by local leaders: To provide exceptional park and recreation services, and to expand public access to local recreational areas. Other stakeholder agencies, all of which are openly supportive of outdoor recreation in general, express organizational needs obligating them to manage the viability and protection of valued resources such as forest land, fish, and wildlife. Deschutes County and the City of Bend express governing needs to responsibly

manage development, exercise land use authorities, and meet Transportation System Planning (TSP) goals, all in response to the needs of the taxpayer. Neighborhood and homeowner participants express needs for privacy, safety, and the rights to control and benefit from private property. Outdoor recreational enthusiasts – of which there are many in the greater Bend area – express a wide variety of needs for both access to lands and rivers on the one hand, and protection of those same resources on the other. One overarching need expressed by many is to be good-faith stewards of the very natural environment that has made the greater Bend area a magnet for economic growth.

(2) Public meeting commentaries. Public sentiment on this issue, as expressed during three Bend area public meetings, remains a mix of facts and opinions. Of the approximate 175 attendees, 88 voiced specific responses to UDAG-initiated prompts or asked questions relevant to UDAG activities concerning the limited segment review. On further review of public commentary from these meetings, 10 of 88 responding attendees openly advocated for a pedestrian bridge for several reasons to include recreation access, convenience, transportation, and area fire safety.

(3) Online crowdsourcing inputs. Of the 317 responses to crowdsourcing prompts related to waterway values, changes, and rules, more than 81% advocated for increased waterway protections, made specific recommendations for new protective rules, expressed the desire for further impact assessments, or emphasized limiting further development in and around the State Scenic Waterway corridor in general, sub-segment 4G specifically. Approximately 13% of responses emphasized varying degrees of support for increasing development, most of which included local area recreational trail expansion and the construction of a pedestrian bridge across the waterway. A lesser percentage did express various concerns with the intent of UDAG, the process or activities used throughout, the transparency of activities, or inclusiveness of the public. Of all respondents, 94% were Bend area residents. The remaining percentage were also Oregon residents from other areas of the State. Of the Bend area residents, 49% were home/property owners within 1-mile of State Scenic Waterway sub-segment 4G. The remaining 45% of Bend area residents lived within 3-miles of the Upper Deschutes river not designated as part of the State Scenic Waterway. For a detailed break-down of specific points of emphasis by respondents to crowdsourcing prompts, see Appendix B.

c. Suggestions. Three-fold, to include:

- Refrain from any administrative rule review or action unless provided compelling evidence of a statutory basis for, local policy changes conducive to, or public sentiment in support of amendment to Oregon Administrative Rules (OAR) allowing for a pedestrian bridge over the Upper Deschutes State Scenic Waterway.

- Consider the need for OPRD to more thoroughly study and understand the economic and environmental impacts of urban growth and development demands on State park and recreation lands and scenic waterways.
- Identify population, development, economic, environmental, and natural resource conditions that, once met or exceeded in certain areas, would trigger State-sponsored actions to reassess both OAR protections and stakeholder policies, programs, and practices.

2. Issue: Property rights expectation within the waterway.

a. Observation. *This is a contentious issue for some, but not all.* At a minimum, it represents a high-profile issue of great concern to home/property owners who live within the State Scenic Waterway corridor, sub-segment 4G especially. As private property owners are financially and often emotionally invested, they do have a right to control, benefit from, and transfer ownership of their property regardless of State Scenic Waterway rules, management authority oversight, or local public policies.

b. Perspectives. Positions on this issue are many, to include those of UDAG stakeholders, representatives, and the public.

(1) Advisory group discussions. The expectation of personal property rights within the waterway is based on two important land use needs as expressed by home/property owners: The right to personal privacy and the right to benefit from one's own property. Such benefits may include home construction and landscape improvement, amongst others. Stakeholder agencies, all respectful of personal property rights within the State Scenic Waterway, express organizational needs obligating them to manage the natural resources of land and water, while protecting those outstandingly remarkable values identified for the State Scenic waterway. Deschutes County and the City of Bend express governing needs to responsibly manage development, provide required transportation and utilities, and enforce zoning and permitting policies within and adjacent to the State Scenic Waterway. Neighborhood and homeowner participants express needs for privacy, safety, and the rights to control and benefit from private property. At the same time, the need for neighborhood representatives to participate in City of Bend land use planning processes is essential. Doing so keeps home and property owners aware of ongoing development projects and initiatives. Bend area outdoor recreational enthusiasts' express needs for expanded recreational access to public lands and rivers, as well as a desire for time and effort convenience to access the State Scenic Waterway and adjacent Deschutes National Forest lands. It's this local area recreational need for access and desire for convenience that potentially may lead to conflict with those home/property owners expecting personal property rights enforcement in the State Scenic Waterway.

(2) Public meeting commentaries. Public sentiment on this issue, as expressed during the Bend area public meetings, varies from legal opinions to high expectations. On further review of public commentary from these meetings, 29 of 88 responding attendees remarked about their concerns for private property rights as home/property owners within the State Scenic Waterway. Whether real or perceived, such comments included concerns about trespassing, user-made access trails, emergency responses, unsolicited purchase proposals, threats to property values, and suggestions of eminent domain actions.

(3) Online crowdsourcing inputs. Of the Bend area residents who were home/property owners within 1-mile of State Scenic Waterway sub-segment 4G, 25% identified concerns for private property protections in the form of suggested rules prohibiting trespassing, limiting recreational trails, or responding to and enforcing the law for safety violations on or adjacent to private property. A lesser percentage also expressed concerns for private property and the perceived threat of UDAG potentially excluding home/property owners from the review process.

c. Suggestions. Two-fold, to include:

- Issue an OPRD White Paper that informs home/property owners residing in the river communities of State Scenic Waterway sub-segment 4G about State of Oregon support for their personal property rights. State the OPRD philosophy on the matter and collaborate with the City of Bend on the delivery of this message.
- Develop a public information program tailored to Bend area residents who live near or recreate within the Upper Deschutes State Scenic Waterway. Goals can include improving public awareness and understanding of related Federal and State laws, rules, and rights for private property owners. Do this in collaboration with Deschutes County and the City of Bend.

3. Issue: Ineffectiveness of current protections for the waterway.

a. Observation. *This is a contentious issue for some, but not all.* Many administrative rules in place, although intended to provide safeguards for waterway outstandingly remarkable values, have not and may never be entirely effective in doing so. From a waterway management view, this represents a high-profile issue of concern in that any degree of failure to protect outstandingly remarkable values requires immediate study, identification of root cause(s), and coordinated action to mitigate, reverse, or improve the effectiveness of a given management policy, program, or practice.

b. Perspectives. Positions on this issue are many, to include those of UDAG stakeholders, representatives, and the public.

(1) Advisory group discussions. The inherent complexity involved in protecting a State Scenic Waterway can only be successfully managed by the collaborative efforts of those agencies charged with its oversight. As before, the stakeholder agencies express organizational needs obligating them to manage the viability and protection of valued resources such as forest land, fish, and wildlife. On this issue however, those same agencies have needs to fulfill their statutory roles as they pertain to State Scenic Waterway management. This includes, but is not limited to their responsibilities to protect outstandingly remarkable values such as recreation, fish, and wildlife, amongst others. Deschutes County and the City of Bend express governing needs to recognize the State Scenic Waterway as an Oregon Goal 5 resource. In so doing, local governments have a need to manage responsible development and land use policies and activities that contribute to the protection of the waterway regardless of its flow through an expansive, growing population center. Neighborhood and homeowner participants express needs for recreation, fish, wildlife and scenery especially, as these serve to benefit private home/property owners and the public at large when using the State Scenic Waterway. Outdoor recreational enthusiasts' express the need to ensure long-term health of wild and scenic areas so that many forms of outdoor recreation can thrive and be available well into the future. For the assessment conducted by UDAG of the current rules and the role each plays in protecting outstandingly remarkable values, see Appendix C.

(2) Public meeting commentaries. Public sentiment on this issue was quite specific in terms of professional insight, supporting research, and shared observations of change along sub-segment 4G. On further review of public commentary from these meetings, 30 of 88 responding attendees remarked about their concerns for the degradation of outstandingly remarkable values to include wildlife migration and presence, fishery health and activities, riparian zones and native vegetation, river hydrology, and in-stream levels and flows. On a lesser level, concern for the growing number of unauthorized 'user made' trails and the resulting desire to enhance rules making recreational trail access more restrictive was noted.

(3) Online crowdsourcing inputs. Of all Bend area residents who responded to crowdsourcing prompts, 38% advocated for specific protections or limits upon further development. Protections voiced included, but were not limited to, the need to safeguard the waterway environment, reinforce the relevance of the outstandingly remarkable values, and sustain existing fish and wildlife habitats, amongst others. Thoughts on limiting development identified the negative impacts on the environment in the waterway, to include the destruction of fishery and the perceived loss of intangible scenic value.

c. Suggestions. Two-fold, to include:

- Initiate discussions with regional land and water focused organizations on how best to protect the hydrologic outstandingly remarkable value as defined for the Upper Deschutes State Scenic Waterway. Build an advisory partnership to include experts from the Deschutes Land Trust, Deschutes Soil and Water Conservation District, Deschutes River Conservancy, and the Central Oregon Irrigation District, amongst others.
- Partner with Oregon Department of Fish and Wildlife (ODFW) to reevaluate and rewrite, as necessary the fishery outstandingly remarkable value as defined for the Upper Deschutes State Scenic Waterway. Further define with ODFW any additional protective rules of specific benefit to fishery that may be considered for future OAR inclusion. Also, review the current wildlife overlay zone with ODFW and Deschutes County and recommend, as necessary changes to local wildlife area (WA) zone policies.

4. Issue: Managing economic and environmental demands on the waterway

a. Observation. *There is consensus on this high-profile issue, local approaches to which can become highly contentious.* Activities and outdoor recreation in and around Central Oregon in general, in Bend specifically have become a major reason for both people moving to and vacationing in the area. Recreational tourism has contributed greatly to the local economy and is a mainstay for hotel and resort, recreational equipment, and outdoor outfitting businesses reliant upon tourism. The resulting economic drive to house, hire, entertain, or challenge local and visitor alike places demands on the State Scenic Waterway. Of similar demand is the local and regional needs of food and farm related businesses for water resources critical to agriculture. The resulting irrigation network and practices in place to divert water from the Upper Deschutes river can result in environmental demands on the State Scenic Waterway outstandingly remarkable values of hydrology and fishery.

b. Perspectives. Positions on this issue are many, to include those of UDAG stakeholders, representatives, and the public.

(1) Advisory group discussions. All stakeholder agencies work cooperatively to support the needs of local business and regional agriculture. Potential for economic or environmental impact on the State Scenic Waterway, although a recognized concern, does not seem to have been cause for modification to stakeholder management policies or practices for the waterway. Stakeholder agencies express organizational needs to balance management efforts to protect outstandingly remarkable values identified for the State Scenic waterway, with the need to responsibly support business and agricultural demands for recreation and water. Deschutes County, the City

of Bend, and the Bend Park and Recreational District each express similar need to responsibly support the business community, irrigation and water service providers, and recreational residents and visitors to the area. Neighborhood and homeowner participants express needs for privacy, safety, and the expectation that local government, business, recreational, and resource providers will responsibly address economic or environmental issues within the waterway. Bend area outdoor recreational enthusiasts' express need for recreational access to public lands and rivers, as well as the expectation that State Scenic Waterway water and land be responsibly used and managed.

Note: For information on the ongoing BPRD Comprehensive Plan process and use of the *Mapita* online survey, see Appendix D. For related OPRD Statewide survey results on Oregonians' perspectives on State Scenic Waterways and trails, see Appendix E.

(2) Public meeting commentaries. Public sentiment on this issue was also quite specific in terms of examples of economic or environmental impacts along sub-segment 4G. On further review of public commentary from these meetings, 23 of 88 responding attendees expressed concern at increases in recreational activities for seeming economic gain, and increased environmental impacts as the result of recreational, development, and irrigation misuse. Comments related to recreational activities were mostly about the impact of having increased numbers of hikers on expanded trail networks, increased numbers of kayakers on sub-segment 4G rapids, and increased traffic and parking issues due to tourists and vacationers throughout the river communities. Comments related to recreational, development, and irrigation misuse included a wide range of complaints about noticeable bank and soil erosion, reductions and loss of unique fish, wildlife, and vegetation, and inadequate water levels or inconsistent in-stream water flows. Taken together, responding attendees openly expressed concerns that the waterway's capacity for handling more people and varied activities was having adverse, noticeable impacts.

(3) Online crowdsourcing inputs. Of all Bend area residents who responded to crowdsourcing prompts, 26% expressed concerns for economic or environmental impacts within the State Scenic Waterway. Many of this percentage advocated improvements to safeguard the waterway environment, to include specific protections for fish, wildlife, vegetation, and in-stream water flows. A lesser percentage expressed concerns for the negative impacts of inappropriate development, expansive irrigation, and increased intrusion by recreational users in the river communities.

c. Suggestions. Two-fold, to include:

- Until economic demands of recreation and business use on the State

Scenic Waterway become obtrusive throughout the river communities, the City of Bend, BPRD, local business, and affected Neighborhood Associations are encouraged to continue working together to address specific incidents or ongoing concerns.

- State and local agencies must remain open to receipt of concerns from the public about potential environmental abuses or issues of impact upon the State Scenic Waterway. Affected Neighborhood Associations are encouraged to take on a more proactive role in environmental monitoring within the river communities especially, reporting environmental impacts to and working with local area developers, local businesses, regional irrigation and water service providers, the City of Bend, and BPRD to identify root causes and develop acceptable working solutions.

Considerations

The following considerations are offered that may serve to enhance management of the State Scenic Waterways program by OPRD and other stakeholders.

1. State scenic waterway periodic reviews. A periodic review is a common operations management mechanism used to evaluate the quality, performance, or effectiveness of a comprehensive program or project. To be effective, such reviews should be conducted at least every five years, use a common approach, and leverage both internal and external expertise to facilitate the process and validate findings and recommendations. A central management authority should serve to convene and define the scope of work for such reviews, designating an executive or senior manager with decision-making responsibility for planning, contracting, expenditures, and interagency and interorganizational agreements. For OPRD to conduct four State Scenic Waterway periodic reviews annually, each designated river/lake in the State would undergo the process every fifth year.

2. State scenic waterway collaboratives. A group collaborative is a common shared work or learning technique used to facilitate the information sharing, common understanding, and knowledge management required to address complex program or project circumstances, issues, or problems. To be effective, such collaboratives should include a standing group of individuals of diverse backgrounds and expertise. This group should adopt a flattened management hierarchy, share common information and communications systems, and take a strategic and holistic view of the relevant program or project of emphasis. Collaboratives also require a common goal and members with excellent communication and negotiation skills who are comfortable working in an atmosphere of adaptation and change. For OPRD to form initial State Scenic Waterway collaboratives on a pilot-program basis, participants from government, business, academia, and resident communities could be recruited and chartered for collaborative work in select Oregon regions with designated waterways requiring immediate attention.

Appendices

A – UDAG related forums

B – Crowdsourcing results

C – Values - Rules assessment

D – Bend Park and Recreation District Comprehensive Plan on *Mapita* online survey

E – Oregonians' perspectives on State Scenic Waterways and trails

Contact

For questions or comments on the Final Report contact the CS UDAG facilitation team via email at deschutes@solutionsco.org



Facilitation services for the Upper Deschutes Advisory Group (UDAG) were provided by Community Solutions of Central Oregon (Community Solutions) under contract agreement with the Oregon Parks and Recreation Department (OPRD). Community Solutions staff and volunteers are neutral third-party facilitators who do not advocate for, or take positions in support of, any participating stakeholder agency, community group, home or property owner, outdoor recreational group, or business interest.

Appendix A

UDAG related forums

The below list identifies UDAG-related forums over a six-month period from October 2016 to April 2017. They include a series of initial meetings, group orientations, public meetings, and advisory group sessions. The facilitation team planned and coordinated each forum, keeping OPRD advised as to scheduling, intent, and outcomes. Most forums required 60 – 90 minutes to conduct. Not included are 28 additional facilitation team meetings conducted over a six-month period to prepare for or evaluate the results from UDAG-related forums.

October 7, 2016

- Initial meeting with Deschutes County representative to UDAG
- Initial meeting with Bend Park and Recreation (BPRD) representative to UDAG

October 10, 2016

- Initial meeting with City of Bend representative to UDAG

October 11, 2016

- Initial meeting with Oregon Department of Fish & Wildlife (ODFW) representatives to UDAG
- Initial meeting with Deschutes National Forest (DNF) representative to UDAG
- Initial meeting with Oregon Parks and Recreation Department (OPRD) representatives to UDAG

November 18, 2016

- Initial meeting with Deschutes River Woods Neighborhood Association (DRWNA) Board leadership
- Initial meeting with Southwest Bend Neighborhood Association (SBNA) Board leadership

November 21, 2016

- Initial meeting with Century West Neighborhood Association (CWNA) Board leadership

November 22, 2016

- Second meeting with BPRD Board and Executive leadership, and representatives to UDAG

December 2, 2016

- Orientation A for Neighborhood Association representatives and individual homeowner participants

December 9, 2016

- Orientation B for outdoor recreational group representatives and business owner participants

December 16, 2016

- UDAG Session 1 for stakeholders, representatives, participants, and guests

Appendix A, continued

UDAG related forums

January 25, 2017

- UDAG Session 2 for stakeholders, representatives, participants, and guests

February 9, 2017

- Public engagement planning meeting with UDAG Neighborhood Association representatives

February 15, 2017

- UDAG Session 3 for stakeholders, representatives, participants, and guests

February 16, 2017

- UDAG Public Meeting 1 at Cascade Middle School for home/property owners and residents

February 17, 2017

- UDAG Public Meeting 2 at Pine Ridge Elementary School for home/property owners and residents

February 23, 2017

- UDAG Public Meeting 3 at Elk Meadow Elementary School for home/property owners and residents

March 8, 2017

- UDAG Session 4 for stakeholders, representatives, participants, and guests

March 22, 2017

- UDAG Session 5 for stakeholders, representatives, participants, and guests

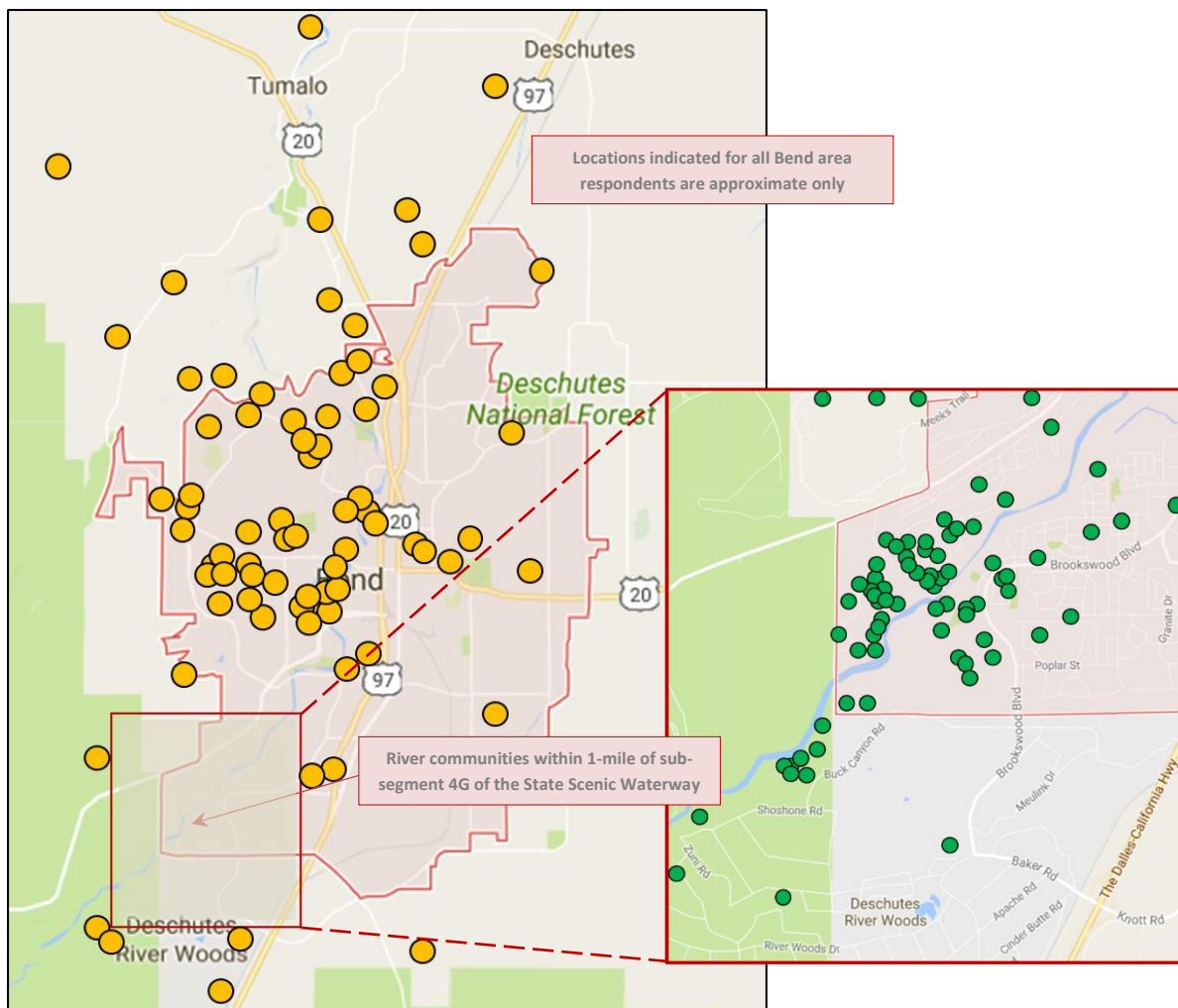
April 5, 2017

- UDAG Session 6 for stakeholders, representatives, participants, and guests

Appendix B

Crowdsourcing results

The figures below summarize crowdsourcing responses by area, overarching trend categories, and major points of emphasis gathered during a four-month period from December 2016 to April 2017. In response to three crowdsourcing prompts related to waterway values, changes, and rules, 317 responses were received and assessed. Of these, 49% were Bend area resident home/property owners living within 1-mile of State Scenic Waterway sub-segment 4G. The assessment of responses identified the major points of emphasis contained within each reply. The collective emphasis was then categorized into one of five overarching trend categories, each best representing the view as articulated by the respondent. A sixth trend category, Impact Assessments, received four responses and is not further depicted here.



Figures 1. Crowdsourcing Responses by Area

Appendix B, continued

Crowdsourcing results

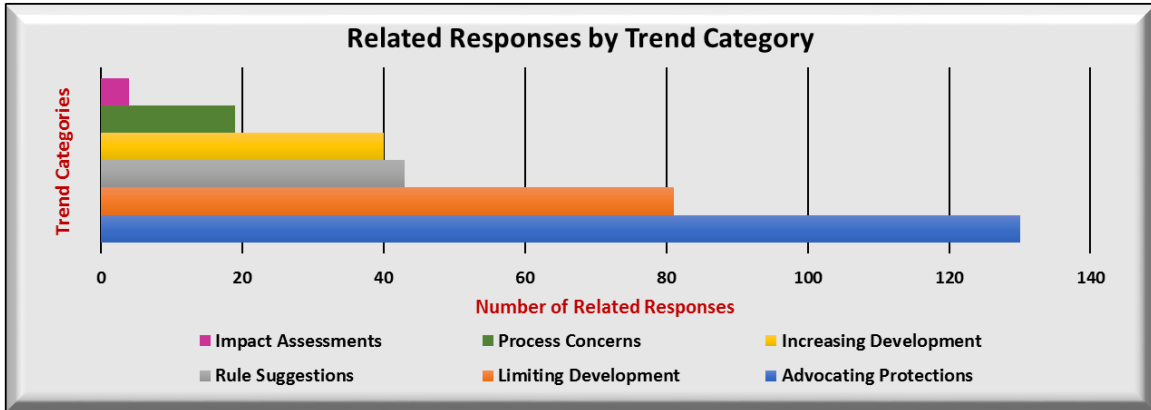


Figure 2. Related Responses by Trend Category

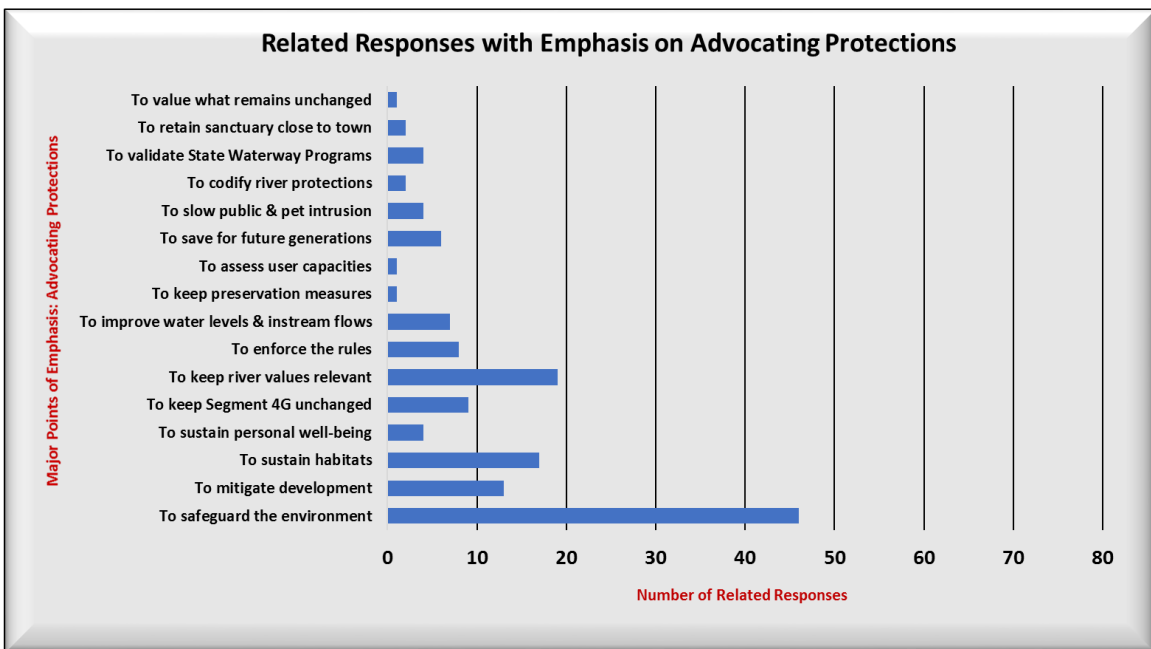


Figure 3. Related Responses with Emphasis on Advocating Protections

Appendix B, continued

Crowdsourcing results

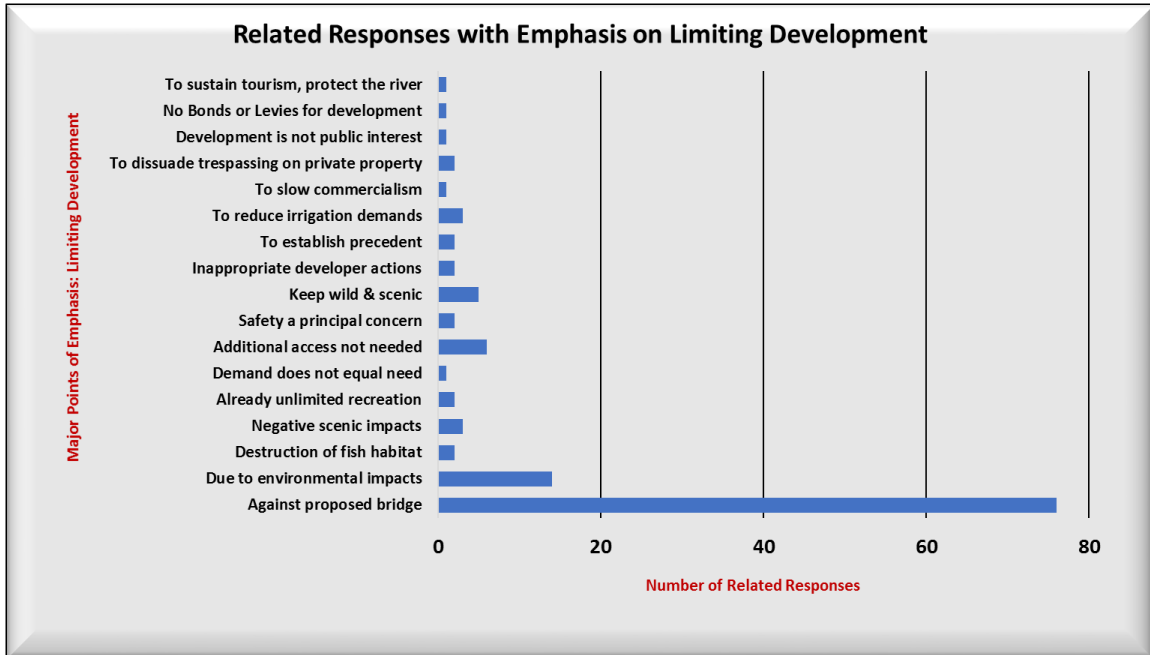


Figure 4. Related Responses with Emphasis on Limiting Development

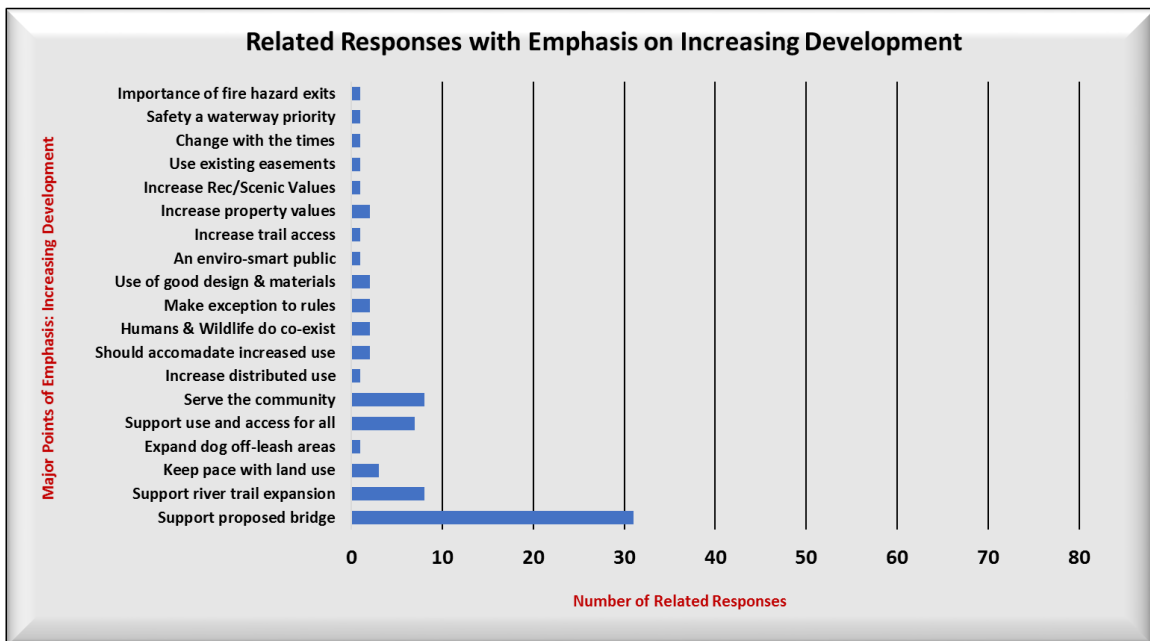


Figure 5. Related Responses with Emphasis on Increasing Development

Appendix B, continued

Crowdsourcing results

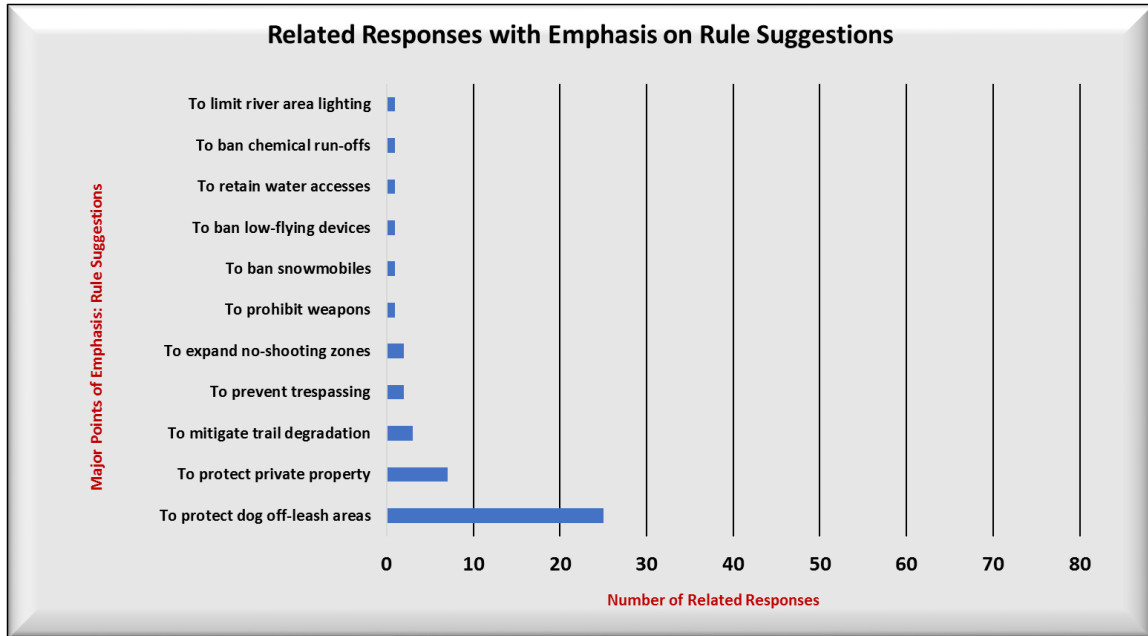


Figure 6. Related Responses with Emphasis on Rule Suggestions

Respondents with UDAG Process Concerns	
Excludes those most impacted	2 respondents
Review excludes homeowners	2 respondents
Lack of transparency	2 respondents
Ignoring experienced people	1 respondent
Do not take private lands	1 respondent
Intensity of river use & access	1 respondent
Values managed differently	1 respondent
No Waterway Education for Public	1 respondent
Regulations abuse	1 respondent
Government corruption	1 respondent
Manipulate the law	1 respondent
Usurp the will of the voters	1 respondent
Violate public meeting laws	1 respondent
Stop the Government raid	1 respondent
To many anti-change know-nothings	1 respondent
Input process too difficult	1 respondent
Poor survey design	1 respondent
Bogus crowdsourcing method	1 respondent
UDAG a ridiculous circus	1 respondent

Figure 7. Respondents with UDAG Process Concerns

Appendix C

Values - Rules Assessment

A Values-Rules Assessment (VRA) was conducted by UDAG to determine whether each administrative rule had a role, and if so to what degree, in protecting each of eight values identified in the Comprehensive Management Plan (CMP). Group members present in those sessions briefly discussed each value-rule intersection on the VRA matrix, often taking time to clarify their perspectives to one another. Following initial discussions, a general vote by members present on each value-rule intersection was taken, and as a result a color-code was assigned once group consensus was reached. There were no objective criteria used to determine color-coding, only discussion and consensus by members present as to each of 72 VRA matrix intersections. Color codes used were green for a 'strong role,' yellow for a 'weak role,' red for 'no role,' gray for an 'unknown role,' and green-gray for a 'divided role.' The divided role represented circumstances in which members could not reach consensus about a select value-rule intersection status. Of note, not all UDAG members were present during these discussions, and other UDAG guests with relevant expertise did not always agree with UDAG member consensus.

Upper Deschutes State Scenic Waterway Values - Rules Assessment										
Rules for River Community Area, Sub-Segment 4G: Per OAR 736-040-0073										
	A. Setback 100 ft minimum HWL; 20 ft minimum ERR	B. Visual Blend color/tone with landscape & vegetative screen	C. Bridges Not permitted; only for existing bridge repairs	D. Public Obscure from view new commercial service facilities	E. Utility Share space for new facilities & upgrades	F. Crossings Not permitted; new or above ground including utilities	G. Development Obscure from view all to include roads & mines	H. Recreation Blend with landscape & public improvements	I. Timber Harvest activities not visible & 1-year for reforestation	
Outstandingly Remarkable Values: Per CMP pages 24-26	1. Geologic	1A	1B	1C	1D	1E	1F	1G	1H	1I
	2. Hydrologic	2A	2B	2C	2D	2E	2F	2G	2H	2I
	3. Fishery	3A	3B	3C	3D	3E	3F	3G	3H	3I
	4. Vegetation	4A	4B	4C	4D	4E	4F	4G	4H	4I
	5. Wildlife	5A	5B	5C	5D	5E	5F	5G	5H	5I
	6. Cultural	6A	6B	6C	6D	6E	6F	6G	6H	6I
	7. Scenic	7A	7B	7C	7D	7E	7F	7G	7H	7I
	8. Recreation	8A	8B	8C	8D	8E	8F	8G	8H	8I
Key	Strong Role	Weak Role	No Role	Unknown Role	Divided Role					

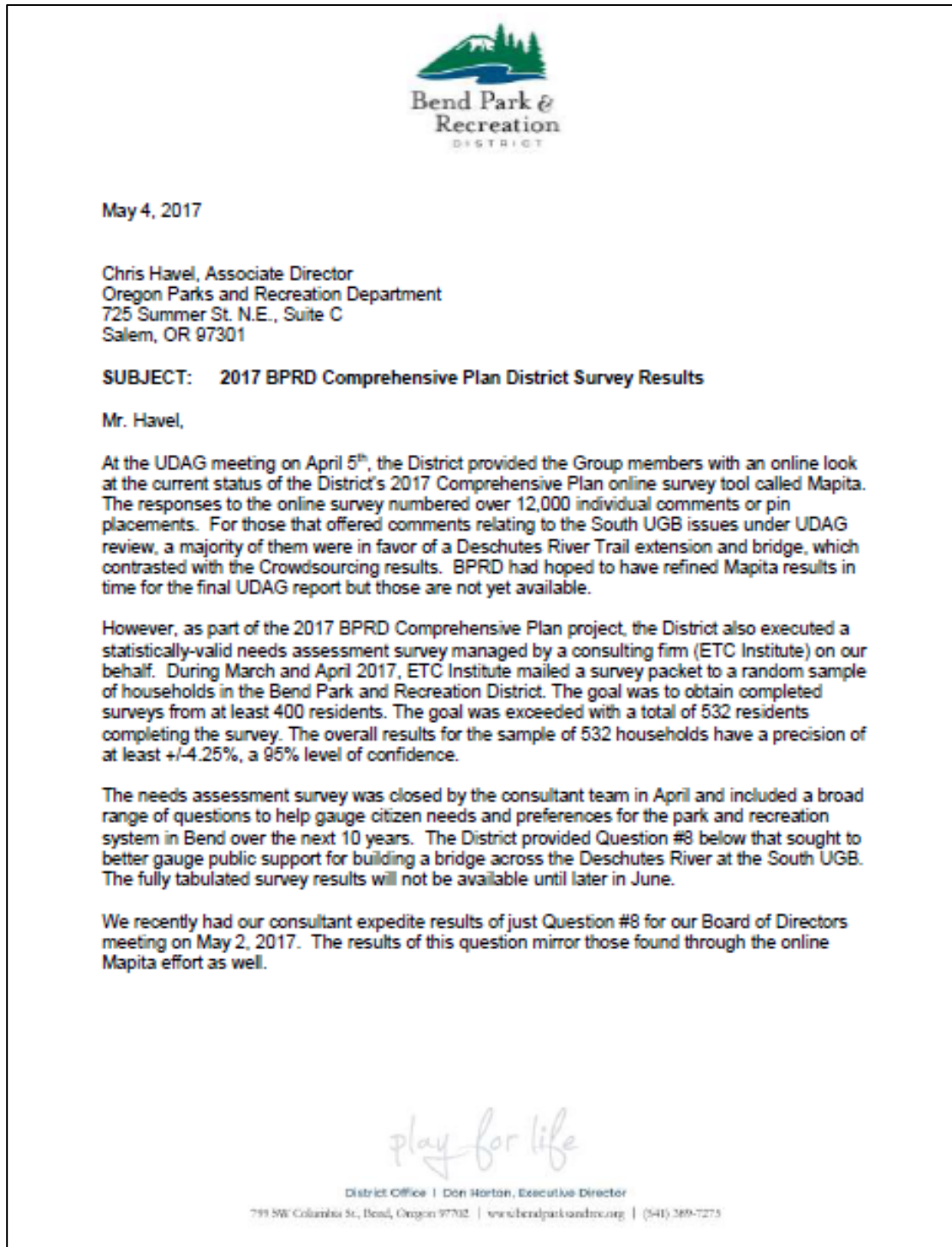
Figure 8. Values - Rules Assessment Matrix

The UDAG members understood that even though the *Geologic*, *Hydrologic*, and *Cultural* outstandingly remarkable values were assessed as having little to no administrative rule protections, each can and has been provided protections through other State of Oregon departments and agencies, as well as efforts from Oregon-based land and water conservation organizations. The assessments of outstandingly remarkable values including *Fishery*, *Wildlife*, and *Vegetation* were later discussed with UDAG members from the Oregon Department of Fish and Wildlife (ODFW) who contributed both technical and research insight into the impacts of water flow and diversion, urban development, and human activities, as well as critical relationships between migration corridors, wildlife habitats, and riparian vegetation.

Appendix D

Bend Park and Recreation District Comprehensive Plan and *Mapita* online survey

A preview of the below information was presented to UDAG members by BPRD representative Steve Jorgensen during Session 6 on Wednesday, April 5, 2016.



Appendix D, continued

Bend Park and Recreation District Comprehensive Plan and *Mapita* online survey



Q. 8. The following are possible actions that BPRD could take to improve the park and recreation system. Please indicate whether you would be Very Supportive, Somewhat Supportive, Neutral, Not Supportive or Not at All Supportive of each action by circling the number next to the action.

How supportive are you of having BPRD invest funding from property taxes for:	Very Supportive	Somewhat Supportive	Neutral	Not Supportive	Not at all Supportive	Don't know
01. Develop new trails and connect existing trails	5	4	3	2	1	9
02. Complete trails along irrigation canals	5	4	3	2	1	9
03. Complete footbridge crossing of the Deschutes River to connect the Deschutes River Trail to trails in the National Forest in the south part of Bend	5	4	3	2	1	9
04. Develop new off-leash dog trails	5	4	3	2	1	9
05. Develop new off-leash dog areas specifically with water access	5	4	3	2	1	9
06. Purchase land to preserve open space and natural areas	5	4	3	2	1	9
07. Fix-up/repair older neighborhood and community parks	5	4	3	2	1	9
08. Expand public school partnerships to include community recreation spaces (Bend-La Pine Public Schools, Oregon State University-Cascades, Central Oregon Community College)	5	4	3	2	1	9
09. Develop an additional recreation center on the west side of Bend (similar to Juniper Swim and Fitness)	5	4	3	2	1	9
10. Build facilities that attract tourists to Bend	5	4	3	2	1	9
11. Provide more community events	5	4	3	2	1	9
12. Other: _____	5	4	3	2	1	9

Results of Q. #8 indicated that regarding completing a footbridge crossing over the Deschutes River:

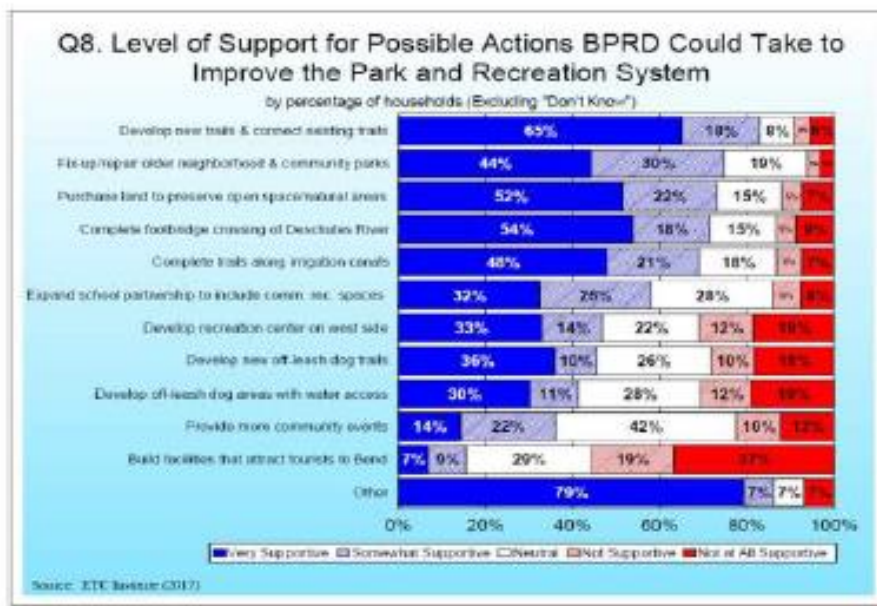
- 72% of the respondents were "very supportive" or "somewhat supportive"
- 14% were "not supportive" or "not at all supportive"
- 15% were neutral.



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Appendix D, continued

Bend Park and Recreation District Comprehensive Plan and *Mapita* online survey



In past District surveys, residents have always placed a high priority on urban recreational trails that provide close-to-home recreation opportunities by connecting neighborhoods to parks, the river and other destinations. Respondents have also ranked high the acquisition of land along the Deschutes River and access to the river. These results are indicators that the Deschutes River continues to be viewed as community resource that should be accessible to all residents.

Thank you for the opportunity to provide this follow-up information to the process.

Steve Jorgensen
Planning Manager
Bend Park and Recreation District



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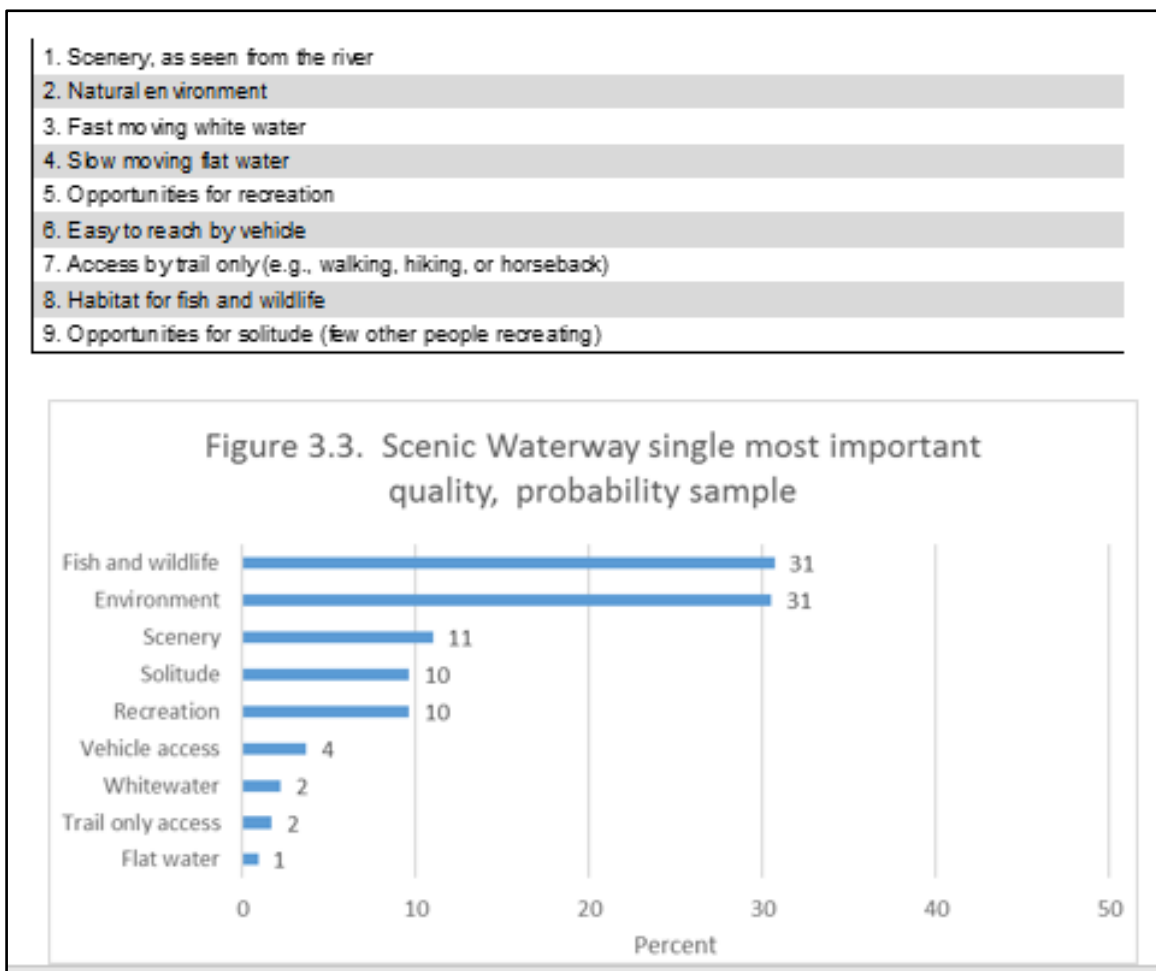
Appendix E

Oregonian's perspectives on State Scenic Waterways and trails

The below information was presented to UDAG members by outdoor recreation advocate Kreg Lindberg during Session 6 on Wednesday, April 5, 2016. It included results from OPRD statewide surveys, 2014-2015. Random samples included:

- Non-motorized boater: 2,326 completes, 43% response rate.
- Non-motorized trail: 2,127 completes, also 43% response rate.

Most important quality for a new State Scenic Waterway:



Appendix E, continued

Oregonian’s perspectives on State Scenic Waterways and trails

Share your priorities for trails in Oregon over the next 10 years:

*“Protection of natural features, including wildlife habitat” 50% more important than
“Connecting trails into larger trail systems”*

