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

Oregon Administrative Rule (OAR) 736-040-0047

Grande Ronde River Scenic Waterway

(1) Scenic River Area:

(a) That segment of the Grande Ronde River from Rondowa at the confluence of the Wallowa River with the Grande Ronde River to the Umatilla National Forest boundary;

(b) This Scenic River Area shall be administered consistent with the standards set by OAR 736-040-0035 and 736-040-0040(1)(b)(B). In addition to these standards, all new development in resource zones (i.e., farm and forest related dwellings) shall comply with Wallowa and Union County land use regulations:

(A) New structures and associated improvements (except as provided under OAR 736-040-0030(5)) shall be moderately screened with native vegetation and/or existing topography. If inadequate topography or vegetative screening exists on a site, the structure or improvement may be permitted if vegetation (preferably native) is established to provide moderate screening of the proposed structure or improvement within a reasonable time (4-5 years). The condition of "moderate screening" shall consist of an ample density and mixture of evergreen and deciduous vegetation to moderately obscure (at least 50 percent) the viewed improvement or structure, or allow a moderately filtered view (at least 50 percent filtering) of the proposed structure or improvement;

(B) Visible tree harvest may be allowed provided that:

(i) The operation complies with the relevant Forest Practices Act rules;

(ii) Harvest methods with low visual impact are used; and

(iii) The effect of the harvest enhances the scenic view within a reasonable time (5-10 years). For the purposes of this rule, "enhance" means to improve timber stand health, including reducing stand density, by emulating the mosaic character of the natural forest landscape (pre-forest management tree density patterns - Prior to 1920).

(C) New mining operations and similar improvements shall be permitted only when they are substantially screened from view from the river by topography and/or native vegetation. If inadequate topographic or vegetative screening exists on a site, mining and similar forms of

development may be permitted if vegetation is established which would provide substantial screening of the affected area. The condition of "substantial screening" shall consist of an ample density and mixture of evergreen and deciduous vegetation (preferably native) to totally obscure the altered improvement site at all stages of its development;

(D) New roads may be permitted only when fully screened from the river by topography or existing vegetation;

(E) Existing roads may be upgraded when those roads are moderately screened from view from the river by topography or existing vegetation. No side cast which would be visible from the river is permitted. Excess material shall be hauled to locations out of sight from the river. If inadequate screening exists, the road upgrade may be permitted if vegetation (preferably native) is established to provide moderate screening of the road within a reasonable time (4-5 years). The condition of "moderate screening" shall consist of an ample density and mixture of evergreen and deciduous vegetation (preferably native) to allow a moderately filtered view (at least 50 percent filtering) of the road;

(F) Proposed utility facilities shall share existing utility corridors, and any vegetation disturbance should be kept to a minimum;

(G) Improvements needed for public recreation use or resource protection may be visible from the river, but shall be designed to blend with the natural character of the landscape;

(H) Whenever the standards of OAR 736-040-0035 and the above rule are more restrictive than the applicable County Land Use and Development Ordinance, the above Oregon Administrative Rules shall apply.

(2) Natural River Area:

(a) That segment of the Grande Ronde River from the Umatilla National Forest boundary to Wildcat creek;

(b) This Natural River Area shall be administered consistent with the standards set by OAR 736-040-0035 and 736-040-0040(1)(a)(C). In addition to these standards, all new development in resource zones (i.e., farm and forest related dwellings) shall comply with Wallowa and Union County land use regulations:

(A) New structures and associated improve-ments shall be totally obscured form view from the river except as provided under OAR 736-040-0030(5) and except those minimal facilities needed for public outdoor recreation or resource protection;

(B) Visible tree harvest may be allowed provided that:

(i) The operation complies with the relevant Forest Practices Act rules;

(ii) Harvest methods with low visual impact are used; and

(iii) The effect of the harvest enhances the scenic view within a reasonable time (5-10 years). For the purposes of this rule, "enhance" means to improve timber stand health, including reducing stand density, by emulating the mosaic character of the natural forest landscape (pre-forest management tree density patterns - Prior to 1920).

(C) New roads will be permitted only when fully screened from the river by topography and/or existing vegetation;

(D) Any existing roads, visible from the river, shall not be extended, realigned, or improved substantially. When a road is regraded, no side cast which would be visible from the river is permitted. Excess material must be hauled to locations out of sight from the river;

(E) New mining operations and similar improvements shall be permitted only when they are substantially screened from the river by topography or existing vegetation. The condition of "substantial screening" shall consist of an ample density and mixture of evergreen and deciduous vegetation (preferably native) to totally obscure the altered improvement site at all stages of its development;

(F) Proposed utility facilities shall share existing utility corridors, and any vegetation disturbance shall be kept to a minimum;

(G) Improvements needed for public recreation use or resource protection may be visible from the river, but shall be primitive in character and designed to blend with the natural character of the landscape;

(H) Whenever the standards of OAR 736-040-0035 and the above rule are more restrictive than the applicable County Land Use and Development Ordinance, the above Oregon Administrative Rules shall apply.

(3) Recreational River Area:

(a) That segment of the Grande Ronde River from Wildcat Creek to the Oregon State line, except for the community of Troy;

(b) This Recreational River Area shall be administered consistent with the standards set by OAR 736-040-0035 and 736-040-0040(1)(c)(B). In addition to these standards, all new development in resource zones (i.e., farm and forest related dwellings) shall comply with Wallowa and Union County land use regulations:

(A) New structures and associated improvements (except as provided under OAR 736-040-0030(5)) shall be partially screened with existing vegetation and/or topography. If inadequate topography or vegetative screening exists on a site, the structure or improvement may be permitted if vegetation (preferably native) is established to provide partial screening of the proposed structure or improvement within a reasonable time (4-5 years). The condition of "partial screening" shall consist of an ample density and mixture of evergreen and deciduous vegetation to partially obscure (at least 30 percent) the viewed improvement or structure, or

allow a partially filtered view (at least 30 percent filtering) of the proposed structure or improvement;

(B) Visible tree harvest may be allowed provided that:

(i) The operation complies with the relevant Forest Practices Act rules;

(ii) Harvest methods with low visual impact are used; and

(iii) The effect of the harvest enhances the scenic view within a reasonable time (5-10 years). For the purposes of this rule, "enhance" means to improve timber stand health, including reducing stand density, by emulating the mosaic character of the natural forest landscape (pre-forest management tree density patterns - Prior to 1920).

(C) New roads constructed for timber harvest, mining or any other purpose shall be moderately screened, with vegetation and/or topography. If inadequate topography or vegetative screening exists, the road may be permitted if vegetation (preferably native) is established to provide moderate screening of the road within a reasonable time (4-5 years). The condition of "moderate screening" shall consist of an ample density and mixture of evergreen and deciduous vegetation (preferably native) to allow moderately filtered view (at least 50 percent filtering) of the road;

(D) New mining operations and similar improvements shall be permitted only when they are substantially screened from view from the river by topography and/or existing vegetation. If inadequate topographic or vegetative screening exists on a site, mining and similar forms of development may be permitted if vegetation is established which would provide substantial screening of the affected area;

(E) The condition of "substantial screening" shall consist of an ample density and mixture of evergreen and deciduous vegetation (preferably native) to totally obscure the altered improvement site at all stages of its development;

(F) Improvements needed for public recreation use or resource protection may be visible from the river, but shall be designed to blend with the natural character of the landscape;

(G) Whenever the standards of OAR 736-040-0035 and the above rule are more restrictive than the applicable County Land Use and Development Ordinance, the above Oregon Administrative Rules shall apply.

(4) Troy River Community Area:

(a) That segment of the Grand Ronde River that includes the area zoned Rural Service by Wallowa County at Troy;

(b) This River Community Area shall be administered consistent with the standards set by OAR 736-040-0035 and 736-040-0040(1)(f). In addition to these standards, all new development shall comply with Wallowa and Union County land use regulations:

(A) New mining operations and similar improvements shall be permitted only when they are substantially screened from view from the river by topography and/or existing vegetation. If inadequate topographic or vegetative screening exists on a site, mining and similar forms of development may be permitted if vegetation (preferably native) is established which would provide substantial screening of the affected area. The condition of "substantial screening" shall consist of an ample density and mixture of evergreen and deciduous vegetation (preferably native) to totally obscure the altered improvement site;

(B) If land is to remain in forest use, visible timber harvest may be allowed provided that:

(i) The operation complies with the relevant Forest Practices Act rules;

(ii) Harvest methods with low visual impact are used; and

(iii) The effect of the harvest enhances the scenic view within a reasonable time (5-10 years). For the purposes of this rule, "enhance" means to improve timber stand health, including reducing stand density, by emulating the mosaic character of the natural forest landscape (pre-forest management tree density patterns - Prior to 1920).

(C) New roads constructed for timber harvest, mining or any other purpose shall be partially screened with vegetation and/or topography. If inadequate topography or vegetative screening exists, the road may be permitted if vegetation (preferably native) is established to provide partial screening of the road within a reasonable time (4-5 years);

(D) The condition of "partial screening" shall consist of an ample density and mixture of evergreen and deciduous vegetation (preferably native) to allow a partially filtered view (at least 30 percent filtering) of the road;

(E) Improvements needed for public recreation use or resource protection may be visible from the river, but shall be designed to blend with the natural character of the landscape;

(F) Whenever the standards of OAR 736-040-0035 and the above rule are more restrictive than the applicable County Land Use and Development Ordinance, the above Oregon Administrative Rules shall apply.

(5) Public use of the Grande Ronde River Scenic Waterway:

(a) Policy: The Oregon Parks and Recreation Commission finds that in order to protect and enhance the Grande Ronde River Scenic Waterway's unique aesthetic, scenic, fish and wildlife, scientific and recreational features, and because these outstanding and unique features caused this river segment to be designated by the people of Oregon as a scenic waterway, it is necessary to adopt rules for public recreation use of the lands and waters within this scenic waterway area. These rules have as their basis the need to protect and preserve the waterway's outstanding scenic beauty and natural features while maintaining the river's wide range of recreational opportunities. Therefore, in accordance with the management requirements of ORS 390.845, persons using the

Grande Ronde River Scenic Waterway for recreation purposes shall comply with the following rules.

(b) Permits: Every boater or boating group shall obtain, prior to launch, a Wallowa-Grande Ronde River use permit. The permit shall be carried by the boater, or group leader, and shall be readily available for inspection upon request by authorized agency and law enforcement personnel. Information requested on the permit shall be completely and accurately filled out and the permit shall be signed by the permit holder prior to launch in order to be valid. Permit holders shall abide by the requirements of the permit and the permit stipulations.

(c) Campfires, Fuel, Firepans:

(A) When not prohibited, fire shall be contained in a fireproof container with sides of a height sufficient to contain all ash and debris;

(B) When fire is prohibited, no open fires, including the use of charcoal, shall be permitted, but commercially manufactured metal camp stoves and lanterns shall be permissible for use when fueled with bottled liquified petroleum gas (e.g., propane) or liquid gas;

(C) No person shall leave a fire unattended;

(D) All fires shall be completely extinguished after use. The extinguished remains, including all ash, wood or charcoal residue, partially consumed briquets, and burned trash shall be taken out of the scenic waterway for disposal in a proper garbage receptacle provided at developed recreation sites or litter collection stations;

(E) Every person or group shall carry and keep reasonably accessible, one bucket of at least one-gallon capacity;

(F) No person shall chop, saw, break, or gather wood or other combustible material from any live or standing tree, shrub or other vegetation.

(d) Litter and Personal Sanitation:

(A) Every person or group shall carry out all their refuse, scrap, trash and garbage and place it in proper receptacles provided for such purpose at developed recreation sites or litter collection stations. No such refuse, litter, scrap or garbage shall be buried or abandoned. When no approved receptacle or container is available, the material shall be taken out of the scenic waterway for disposal;

(B) Every person or group shall use developed toilet facilities when provided at public recreation sites. A portable, containerized toilet shall be carried and used at all times when developed toilet facilities are not available. All persons or groups that remain, intend to remain, or display intent to remain overnight in an undeveloped camp site shall set up a portable toilet, ready for use, as soon as practical upon landing at the camping site to be occupied. No person shall leave, deposit, or scatter human waste, toilet paper, or items used as toilet paper, on the ground. Portable toilets

shall only be dumped at facilities developed and identified especially for that purpose. For purposes of this paragraph, the following definitions shall apply:

(i) "Remain overnight" means human presence in the Grande Ronde River Scenic Waterway for any period of time from one hour after legal sunset to one hour before legal sunrise;

(ii) "Display intent to remain overnight" includes, but is not limited to, any off-loading on to the river bank or preparing for use, common overnight camping equipment such as tents, sleeping bags or bedding, food, cooking or dining equipment, or lighting equipment, or to prepare common camping equipment for use in or on any boat;

(iii) "Developed camp site" means a motor vehicle accessible, fee site.

(e) Camping and group size:

(A) No person or group shall camp in any area posted as "Closed" to that use;

(B) No person or group shall stop on, occupy, or camp on private property posted as such or with "No Trespassing" signs;

(C) No group greater than 25 persons, including guides or trip leaders, shall launch, float together, stop or camp together at undeveloped campsites within the river corridor.

(f) Motorized equipment: Except for private property owners using motorized equipment on their own property, and except for small, hand-held, battery operated devices, no person or group shall carry or use any motorized equipment or machinery activated by a non-living power source within the designated state scenic waterway "natural river area" from the Umatilla National Forest boundary about 1.5 miles downstream from the confluence of the Wallowa River, to the confluence of Wildcat Creek.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.805 - ORS 390.925

Hist.: PR 10-1993, f. & cert. ef. 6-24-93; PRD 8-2002, f. & cert. ef. 8-8-02