

# Chapter 390

## 1979 REPLACEMENT PART

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## OUTDOOR RECREATION RESOURCES

**390.010 Policy of state toward outdoor recreation resources.** The Legislative Assembly recognizes and declares:

(1) It is desirable that all Oregonians of present and future generations and visitors who are lawfully present within the boundaries of this state be assured adequate outdoor recreation resources. It is desirable that all levels of government and private interests take prompt and coordinated action to the extent practicable without diminishing or affecting their respective powers and functions to conserve, develop, and utilize such resources for the benefit and enjoyment of all the people.

(2) The economy and well-being of the people are in large part dependent upon proper utilization of the state's outdoor recreation resources for the physical, spiritual, cultural, scientific and other benefits which such resources afford.

(3) It is in the public interest to increase outdoor recreation opportunities commensurate with the growth in need through necessary and appropriate actions, including, but not limited to, the following:

(a) Protection of existing and needed open spaces for appreciation, use and enjoyment of Oregon's scenic landscape.

(b) Provision of adequate land for outdoor recreation.

(c) Preservation and restoration for public enjoyment and education of structures, objects, facilities and resources which are examples of Oregon history, archeology and natural science.

(d) Development of a system of scenic roads to enhance recreational travel and sightseeing.

(e) Encouragement of outdoor activities such as festivals, fairs, and events relating to music, dance, drama, art and sports.

(f) Expansion of facilities for camping, picnicking and lodging in or near recreational areas and along routes of travel.

(g) Provision of tourist hospitality centers, which may include informational services, sanitary facilities, camping and picnicking areas at points near major highway entrances into the state.

(h) Provision of trails for horseback riding, hiking, bicycling and motorized trail vehicle riding.

(i) Development of waterways, land and water facilities for recreational boating, hunting and fishing.

(j) Development of all recreation potentials of the several river basins, compatible with programs of water use enunciated by the Water Policy Review Board.

(k) Provision for access to public lands and waters having recreational values.

(L) Encouragement of the development of winter sports facilities.

(m) Encouragement of programs for recreational enjoyment of mineral resources.

(4) It is in the public interest that all efforts be made through research, education and enforcement to the end that Oregon's outdoor recreation resources will be used under the highest standards of conduct.

(5) It shall be the policy of the State of Oregon to supply those outdoor recreation areas, facilities and opportunities which are clearly the responsibility of the state in meeting growing needs; and to encourage all agencies of government, voluntary and commercial organizations, citizen recreation groups and others to work cooperatively and in a coordinated manner to assist in meeting total recreation needs through exercise of their appropriate responsibilities. [Formerly 184.310]

## STATE PARKS AND RECREATION DIVISION

**390.110 Acquisition and development by Department of Transportation of scenic or historic places.** (1) The Department of Transportation may acquire by purchase, agreement, donation or by exercise of the power of eminent domain real property, or any right or interest therein, deemed necessary for the culture of trees and the preservation of scenic or historic places and other objects of attraction or scenic value adjacent to, along or in close proximity to state highways, or which may be conveniently reached from or by a public highway. The department may in like manner acquire land and ground necessary for the development and maintenance of parks, parking places, auto camps, campsites, roadside development, recreational grounds or resorts, forest or timbered areas or other places of attraction and scenic or historic

value which in the judgment of the department are necessary for the convenience of the public, and which will contribute to the general welfare and pleasure of the motoring public or road user.

(2) The department may develop, construct, improve, operate and maintain the places named in subsection (1) of this section to such an extent and in such manner as will best afford to the motoring public and road users necessary conveniences and accommodations, and as will contribute to the general welfare of the people of the state or the members of the motoring public using the highways of the state.

(3) The department may acquire by purchase, agreement or donation real property, or any right or interest therein, deemed necessary for the culture of trees and the preservation of scenic or historic places and other objects of attraction or scenic value. The department may in like manner acquire land and ground necessary for the development and maintenance of parks, campsites, recreational grounds or resorts, forest or timbered areas or other places of attraction and scenic or historic value which in the judgment of the department will contribute to the general welfare and pleasure of the public.

(4) The department may develop, construct, improve, operate and maintain the places named in subsection (3) of this section to such an extent and in such manner as will best afford to the public necessary conveniences and accommodations, and as will contribute to the general welfare of the public. [Formerly 366.345]

**390.120 Administrator of Parks and Recreation Division.** The chief administrative officer appointed to supervise the Parks and Recreation Division by the Director of the Department of Transportation under ORS 184.615 shall be called the Administrator of the Parks and Recreation Division. [Formerly 366 175; 1979 c 186 §17]

**390.130 State Recreation Director and assistants.** (1) The Department of Transportation shall appoint, upon the recommendation of the Administrator of the Parks and Recreation Division, a director of recreation, who shall be called State Recreation Director, and who shall hold office at the pleasure of the department.

(2) The State Recreation Director shall receive an annual salary to be fixed by the

department, payable in monthly instalments, together with such actual traveling and other necessary expenses as may be incurred in the discharge of his official duties.

(3) The department may employ such engineers, landscape architects, technical assistants and such other help as, in its judgment, may be necessary for the proper and efficient administration of the parks and recreation division. The compensation, travel allowance and other expenses for such staff and other help shall be fixed by the department.

(4) This section is subject to any applicable provision of the State Merit System Law. [Formerly 366.180, 1979 c.186 §18]

**390.140 Powers and duties of State Recreation Director.** (1) Under the direction of the Administrator of the Parks and Recreation Division, the State Recreation Director shall:

(a) Study and appraise the recreation needs of this state and assemble and disseminate information relative to recreation, considering both tourist and local needs.

(b) Investigate the recreation facilities, personnel, activities and programs existing or needed in the various areas in this state and, by consultation with the appropriate public or private authorities in such areas, assist in the development and coordination of recreation facilities, activities and programs. However, the director shall not make surveys of recreation facilities, personnel, activities and programs of counties, cities, districts and other local agencies, areas and communities except upon their request.

(c) Advise, cooperate with and encourage counties, cities, districts and other local agencies, areas and communities interested in the development and use of recreation facilities, activities and programs for the public benefit.

(d) Recommend and promote standards for recreation facilities, personnel, activities and programs.

(e) Aid in recruiting, training and placing recreation personnel.

(f) Promote recreation institutes and conferences.

(2) Under the direction of the Administrator of the Parks and Recreation Division, the State Recreation Director may:

(a) Encourage and render assistance in the promotion of training programs for volunteer

and professional recreation leaders in cooperation with other public and private agencies, persons, groups, organizations and institutions interested in recreation, and encourage the establishment of standards for recreation personnel.

(b) Assist any state agency in rendering recreation services and carrying out recreation functions in conformity with the authorized powers and duties of such state agency, and encourage and assist in the coordination of federal, state and local recreation facilities, personnel, activities and programs. [Formerly 366.182; 1979 c.186 §19]

**390.150 Gifts and grants for Parks and Recreation Division.** The Department of Transportation may accept and expend, use or dispose of moneys and property from any public or private source, including the Federal Government, made available to the department in the form of grants, gifts, devises, bequests or endowments for the purpose of carrying out any of the provisions and purposes of ORS 390.120 to 390.150 or to facilitate the carrying out of any of the functions of the State Recreation Director under ORS 390.120 to 390.150. [Formerly 366.183]

**390.160 Park and recreation regulations and charges.** (1) The Department of Transportation may make rules and provisions for the use and administration of state parks and all recreational, historic, scenic and other places of attraction which are owned by or under the control of the state, acting by and through the department. Such rules shall be duly entered in the minutes and records of the department. The rules may provide reasonable charges for the use of accommodations provided in such parks and areas. The rules shall be posted within the main entrance of each of the areas. Nothing in this section or in ORS 390.130 or 390.990 shall impair, restrict or modify any of the powers of the department with reference to state parks and recreational, historic and scenic places.

(2) Notwithstanding subsection (1) of this section, in addition to the fees set under subsection (1) of this section for the use of accommodations provided in parks and areas, the rules of the department shall, except for state facilities located on federal lands for which such fees are contrary to federal policy or law, require from each party using a vehicle with an out-of-state license plate a \$2 daily charge for use of accommodations provided in parks and areas. The department shall use moneys

collected from the additional fee charged under this subsection to help fund programs for park and area improvements.

(3) The department may make rules necessary to carry out the provisions of ORS 390.130 to 390.150. [Formerly 366.350; 1977 c.556 §1; 1979 c.134 §2; 1979 c.186 §20]

**390.170** [Formerly 366.545; repealed by 1975 c.184 §1]

**390.180 Standards for recreational planning and fund disbursement; park master plans.** The Administrator of the State Parks and Recreation Division shall adopt rules that:

(1) Establish the standards the State Parks and Recreation Division shall use when that division:

(a) Performs comprehensive state-wide recreational planning; or

(b) Disburses any moneys to local governments or other state agencies under programs established under state or federal law.

(2) Establish a master plan for each state park, including an assessment of resources and a determination of the capacity for public use and enjoyment of each park, that the State Parks and Recreation Division shall follow in its development and use of each park. [1979 c.637 §1]

**390.210 Arboretum and botanical garden.** (1) The Department of Transportation may establish, maintain, operate and control an arboretum and botanical garden which shall be a part of the system of parks, scenic places and recreational areas under the State Parks Division of the department.

(2) Upon the establishment of the garden, its management shall be placed under the direct supervision of the Administrator of the Parks and Recreation Division, who shall operate, maintain and supervise the garden under the direction and control of the department.

(3) The garden shall be located in and be the property of the State of Oregon. The site of the garden shall be selected by the Oregon Arboretum and Botanical Foundation and the department jointly, but shall be on a main or arterial highway, as near the population and education centers of the state as possible.

(4) The department may accept funds from any source for the establishment, maintenance and operation of the garden, but the department shall not contribute or use high-

way funds in connection with the garden. All funds received from any source shall immediately be paid by the department into the General Fund in the State Treasury and there maintained in an account designated as the Arboretum Botanical Garden Account, which account hereby is appropriated solely for the purposes of this section. The department may accept property, both real or personal, in addition to funds, which shall be dedicated to and used for the garden by the department.

(5) The department may acquire at any time, by purchase or by exercise of the power of eminent domain, any interest in real property deemed necessary for the establishment, maintenance and operation of the garden. Property acquired by exercise of the power of eminent domain shall be acquired in the manner provided in ORS chapter 35, except that the defendant shall not be entitled to recover as costs and disbursements any sum taxed as attorney's fees.

(6) The foundation and the department shall confer and cooperate at all times in all matters pertaining to the garden to the end that the purpose and public values contemplated by this section may be accomplished and the public interest best served. [Formerly 366 355; 1971 c.741 §37]

### **390.215 Crabtree Valley State Park.**

(1) Lands described in subsection (2) of this section that are acquired by the State of Oregon and held by and through the Department of Transportation shall be held and used for state park purposes.

(2) Subsection (1) of this section applies to all lands located within section 16, township 11 south, range 3 east, Willamette Meridian, Linn County, State of Oregon. Lands described in this subsection shall be known as the Crabtree Valley State Park.

(3) The state park described in this section shall be managed by the State Parks and Recreation Division of the Department of Transportation in a manner that will:

- (a) Retain the primitive character of the area;
- (b) Preserve the trees in the park; and
- (c) Preserve, in a natural state, the ecosystems related to the trees in the park. [1979 c 792 §2]

Note: Sections 1 and 3, chapter 792, Oregon Laws 1979, provide

Sec. 1. (1) The Legislative Assembly declares that the lands described in subsection (4) of this section,

commonly known as Crabtree Valley, represent a unique example of old-growth timber that should be preserved in its natural state, provided, however, that its owners and the local governments that receive revenues from this area are not forced to suffer an unreasonable economic loss

(2) As soon as reasonably possible, the Department of Transportation shall initiate negotiations to acquire the lands described in subsection (4) of this section for use as a state park.

(3) The negotiations described in subsection (2) of this section may include the owners of the land described in subsection (4) of this section, representatives of all units of local governments that receive revenues from the lands described in subsection (4) of this section, and a representative of the Crabtree Valley Protection Association.

(4) Subsection (1) of this section declares state policy on the lands within section 16, township 11 south, range 3 east, Willamette Meridian, Linn County, State of Oregon.

(5) The Department of Transportation shall seek to acquire all or part of the lands described in subsection (4) of this section by any means at its disposal, including, but not limited to, an exchange of lands that are owned by the State of Oregon and managed by the State Forestry Department, including, but not limited to, lands located in the following areas:

(a) In township 11 south, range 2 east, Willamette Meridian, Linn County, State of Oregon.

(b) In township 12 south, range 1 east, Willamette Meridian, Linn County, State of Oregon

(c) In township 12 south, range 2 east, Willamette Meridian, Linn County, State of Oregon.

(6) The State Forestry Department shall cooperate with the Department of Transportation in this transfer of state lands under this section to provide compensation for lands identified under this section.

Sec. 3. The Department of Transportation shall seek legislative approval before final acquisition of the lands described in subsection (4) of section 1 of this Act if any of the parties described in subsection (3) of section 1 of this Act feel they will suffer unreasonable economic loss.

**390.220 Provisional Government Park at Champoeg.** All jurisdiction over the Provisional Government Park at Champoeg, Oregon, the buildings and museum therein, and all other assets of the park or the Provisional Government Park board, including unexpended appropriations therefor, hereby are transferred to the Department of Transportation. [Formerly 358.520]

**390.230 Fort Stevens Military Reservation; Clatsop Spit.** The right, title and interest of all state agencies, other than the State Fish and Wildlife Commission and political subdivisions, in the lands described as follows are hereby vested in the State or

Oregon by and through its Department of Transportation:

All of the lands, together with the accretions thereto lying westerly of the east line of section 7, township 8 north, range 10 west, Willamette Meridian, Clatsop County, State of Oregon, extending northerly to the main channel of the Columbia River as it existed on May 19, 1967; bounded on the south by the south line of said section 7 extended westerly to the low water of the Pacific Ocean; and bounded on the north by the main channel of said Columbia River extended downstream to the Pacific Ocean. [1967 c.288 §§1, 2]

### **LOCAL PARKS AND RECREATION SERVICES (Jackson County)**

**390.250 Development of recreational use of lands by Jackson County; application for state funds.** (1) In furtherance of the state policy declared in ORS 390.010, the governing body of Jackson County, Oregon, may prepare and adopt a plan to promote the public scenic, park and recreational use of lands along Bear Creek that lie within the boundaries of Jackson County. The county governing body may, in preparing any such plan, designate lands or interest in such lands situated within the county that the county and all cities described in subsection (2) of this section consider necessary for immediate or future acquisition for public use for scenic, park or recreational purposes.

(2) Each plan adopted under subsection (1) of this section shall be prepared in cooperation with and with the concurrence of all cities within the county that have lands within their respective boundaries that are adjacent or contiguous to Bear Creek.

(3) After the adoption of a plan under subsection (1) of this section, the governing body of a city in Jackson County or of Jackson County may apply to the Department of Transportation under ORS 390.255 for grants of money to be used by the city or county in the acquisition of lands or any interests therein to carry out any such plan. [1973 c.668 §1]

**390.255 Use of funds to acquire land interests; conditions of grants.** (1) The Department of Transportation may enter into agreements with cities in Jackson County and with Jackson County and make grants of money from the State Highway Fund to assist them in acquiring any lands or any interest

therein for scenic, park and recreational purposes in accordance with a plan adopted by the governing body of Jackson County. The grants of money that may be made by the department for the acquisition of any lands or interests shall not be less than 50 percent of such acquisition cost subject to availability of funds therefor. All remaining costs, including but not limited to future operation and maintenance costs, shall be borne by the city or county in a manner satisfactory to the department. No grant of money shall be made by the department under this subsection for any lands or interests acquired by a city or county prior to July 22, 1973.

(2) The department may require such information, as it considers advisable, from a city or the county applying for a grant of money under subsection (3) of ORS 390.250. The department may impose such conditions on the agreements entered into under subsection (1) of this section and on the use of moneys granted pursuant thereto as the department considers necessary in carrying out the state policy declared in ORS 390.010. [1973 c.668 §2]

**390.260 Application of Willamette River Greenway laws; restriction on condemnation to acquire lands.** (1) Nothing in ORS 390.250 to 390.260 applies to the Willamette River Greenway created pursuant to ORS 390.310 to 390.368.

(2) No land to which ORS 390.250 to 390.260 are applicable shall be acquired by the exercise of the power of eminent domain. [1973 c.668 §3]

### **(Ocean Shores Lifesaving Services)**

**390.270 Definitions for ORS 390.270 to 390.290.** As used in ORS 390.270 to 390.290:

(1) "Department" means the Department of Transportation.

(2) "County court" includes board of county commissioners.

(3) "Governing body" means:

(a) The city council or other governing body of a city; or

(b) The county court of a county.

(4) "Ocean shore" has the meaning given that term by ORS 390.605. [1973 c.673 §1]

**390.275 Purpose of ORS 390.270 to 390.290.** (1) The purpose of ORS 390.270 to 390.290 is to encourage cities and counties to provide lifesaving services to people using recreational places along the ocean shore.

(2) Any city or county that provides lifesaving services at recreational places along the ocean shore may qualify for a matching fund grant. [1973 c.673 §2]

**390.280 Duties of Department of Transportation in encouraging use of lifesaving services.** In addition to the other duties of the Department of Transportation, the department shall:

(1) Make grants to cities and counties to reimburse cities and counties for funds used to pay expenses incurred in providing lifesaving services in recreational places along the ocean shore.

(2) Determine the eligibility of a city or county for, and the amounts of, such matching fund grants.

(3) Establish and promulgate minimum standards for lifesaving services at such places.

(4) Advise governing bodies how they may acquire and qualify for matching fund grants.

(5) Adopt regulations to carry out ORS 390.270 to 390.290. [1973 c.673 §3]

**390.285 Application by local governing body for reimbursement of cost; report of activities required.** (1) To obtain a grant for reimbursement of the expenses incurred in providing lifesaving services at recreational places along the ocean shore, a governing body shall file with the department a request for reimbursement of funds used during the prior fiscal year to pay expenses incurred for direct program costs in providing such services. The request shall include a detailed statement of the funds expended for such services during the prior fiscal year, and shall indicate the source of such funds. The request shall include such other information as may be required by the department.

(2) To be entitled to continue to receive a grant for reimbursement as authorized by ORS 390.270 to 390.290, the city or county with its request to the department shall submit a report of the lifesaving services provided by the city or county during the previous year. [1973 c.673 §4]

**390.290 Schedule for reimbursement of local governing bodies.** (1) Expenditures made from city or county funds to provide lifesaving services at recreational places along the ocean shore shall be reimbursed by the department in accordance with this section.

(2) Within the limit of the funds available therefor, there shall be paid to an applicant, on account of expenditures subject to reimbursement, 75 percent of any amount in excess of \$5,000 so expended from the funds of the applicant city or county in the prior fiscal year.

(3) Upon approval of a request of a governing body, the department shall enter into a matching fund relationship to reimburse the funds used to pay expenses of providing such lifesaving services.

(4) When approved by the department, claims for reimbursement shall be presented for payment and paid in the manner other claims against the State Highway Fund are paid; however, if in any fiscal year the aggregate amount of the grants approved exceeds the funds available for the purposes of ORS 390.270 to 390.290, the department shall prorate the available funds among the grants approved. [1973 c.673 §5]

### WILLAMETTE RIVER GREENWAY (Generally)

**390.310 Definitions for ORS 390.310 to 390.368.** As used in ORS 390.310 to 390.368, unless the context requires otherwise:

(1) "Unit of local government" means an incorporated city, county or any other political subdivision of this state.

(2) "Department" means the Department of Transportation.

(3) "Willamette River" means that portion of the Willamette River, including all channels of the Willamette River, from its confluence with the Columbia River upstream to Dexter Dam and the Coast Fork of the Willamette River upstream to Cottage Grove Dam.

(4) "Channel" includes any channel that flows water at ordinary low water. [1967 c.551 §1; 1973 c.558 §2]

**390.314 Legislative findings and policy.** (1) The Legislative Assembly finds that, to protect and preserve the natural, scenic and recreational qualities of lands along the Wil-

lamette River, to preserve and restore historical sites, structures, facilities and objects on lands along the Willamette River for public education and enjoyment and to further the state policy established under ORS 390.010, it is in the public interest to develop and maintain a natural, scenic, historical and recreational greenway upon lands along the Willamette River to be known as the Willamette River Greenway.

(2) In providing for the development and maintenance of the Willamette River Greenway, the Legislative Assembly:

(a) Recognizing the need for coordinated planning for such greenway, finds it necessary to provide for development and implementation of a plan for such greenway through the cooperative efforts of the state and units of local government.

(b) Recognizing the need of the people of this state for existing residential, commercial and agricultural use of lands along the Willamette River, finds it necessary to permit the continuation of existing uses of lands that are included within such greenway; but, for the benefit of the people of this state, also to limit the intensification and change in the use of such lands so that such uses shall remain, to the greatest possible degree, compatible with the preservation of the natural, scenic, historical and recreational qualities of such lands.

(c) Recognizing that the use of lands for farm use is compatible with the purposes of the Willamette River Greenway, finds that the use of lands for farm use should be continued within the greenway without restriction.

(d) Recognizing the need for central coordination of such greenway for the best interests of all the people of this state, finds it necessary to place the responsibility for the coordination of the development and maintenance of such greenway in the Department of Transportation.

(e) Recognizing the lack of need for the acquisition of fee title to all lands along the Willamette River for exclusive public use for recreational purposes in such greenway, finds it necessary to limit the area within such greenway that may be acquired for state parks and recreation areas and for public recreational use within the boundaries of units of local government along the Willamette River. [1973 c.558 §1]

**390.318 Preparation of development and management plan; content of plan.** (1) Within one year after October 5, 1973, the Department of Transportation, in cooperation with units of local government that have lands along the Willamette River within their respective boundaries, shall prepare a plan for the development and management of the Willamette River Greenway as described in ORS 390.314. Such plan may be prepared for segments of the Willamette River and may be submitted as segments for approval under ORS 390.322. Such plan shall specify the boundaries of the Willamette River Greenway and the lands and interests in land situated within such boundaries to be acquired in the development of such greenway. There shall be included within the boundaries of the Willamette River Greenway all lands situated within 150 feet from the ordinary low water line on each side of each channel of the Willamette River and such other lands along the Willamette River as the department and units of local government consider necessary for the development of such greenway; however, the total area included within the boundaries of such greenway shall not exceed, on the average, 320 acres per river mile along the Willamette River. The Willamette River Greenway shall also include all islands and all state parks and recreation areas situated along the Willamette River; however, for the purposes of computing the maximum acreage of lands within such greenway, the acreage of lands situated on such islands and within such state parks and recreation areas shall be excluded.

(2) The plan prepared pursuant to subsection (1) of this section, shall depict, through the use of descriptions, maps, charts and other explanatory materials:

(a) The boundaries of the Willamette River Greenway.

(b) The boundaries of lands acquired or to be acquired as state parks and recreation areas under ORS 390.338.

(c) The lands and interests in lands acquired or to be acquired by units of local government under ORS 390.330 to 390.360.

(d) Lands within the Willamette River Greenway for which the acquisition of a scenic easement, as provided in ORS 390.332, is sufficient for the purposes of such greenway.

(3) The plan shall include the location of all known subsurface mineral aggregate de-

posits situated on lands within the boundaries of the Willamette River Greenway. [1973 c.558 §3]

**390.320** [1967 c.551 §2; 1973 c.87 §1; repealed by 1973 c.558 §17]

**390.322 Submission of plan to Land Conservation and Development Commission; revision, approval and distribution of plan.** (1) Following the preparation of the plan or any segment thereof under ORS 390.318, the Department of Transportation shall submit such plan or segment to the Land Conservation and Development Commission. The commission shall investigate and review such plan or segment as it considers necessary. If the commission finds that the plan or segment complies with ORS 390.310 to 390.368, it shall approve the plan or segment. If the commission finds revision of any part of the submitted plan or segment to be necessary, it may revise the plan or segment itself or require such revision by the department and units of local government.

(2) Upon approval of the plan for the Willamette River Greenway or segment thereof, the commission shall cause copies of such plan or segment to be filed with the recording officer for each county having lands within the Willamette River Greenway situated within its boundaries. Such plan or segment filed as required by this subsection shall be retained in the office of the county recording officer open for public inspection during reasonable business hours.

(3) If the plan for the Willamette River Greenway is prepared and approved in segments, the total of all such approved segments shall constitute the plan for the Willamette River Greenway for the purposes of ORS 390.310 to 390.368. The department and units of local government, with the approval of the commission, may revise the plan for the Willamette River Greenway from time to time.

[1973 c.558 §4]

**390.330 Grants for acquisition of lands by local government units; acquisition of water rights, or use of condemnation powers limited.** (1) The Department of Transportation may enter into agreements with units of local government and make grants of money from a state highway fund to assist units of local government in acquiring lands or any interest in lands situated within the boundaries of the Willamette River Greenway for exclusive public use for scenic and recreational purposes and to assist units of

local government in preserving and restoring historical sites, structures, facilities and objects on lands along the Willamette River as may be determined by the department to be in accordance with the plan approved under ORS 390.322 and to further the purposes of the Willamette River Greenway as set forth in ORS 390.314. Each such agreement shall provide for the transfer by the department to the unit of local government of any scenic or public easement acquired by the department under ORS 390.310 to 390.368 with respect to lands acquired by the unit of local government under this section. The grants of money that may be made by the department for any property or property rights or for the initial preservation and restoration of historical sites, structures, facilities and objects shall not exceed 50 percent of the cost thereof. All remaining costs, including future operation and maintenance, shall be borne by the unit or units of local government in a manner satisfactory to the department. No grant of money shall be made by the department for property acquired by any unit of local government prior to June 30, 1967, or for costs incurred by any unit of local government prior to October 5, 1973, in the preservation and restoration of historical sites, structures, facilities and objects.

(2) Except as provided in subsection (3) of this section, a unit of local government is not authorized, for the purposes of this section, to acquire water rights or installations used in connection with such water rights or to acquire any property or property rights by condemnation.

(3) A city, in the acquisition of any property or property rights within the boundaries of the Willamette River Greenway with grants of money made under this section, may use any power of condemnation otherwise provided by law for use by the city in such acquisition. [1967 c.551 §3, 1973 c.87 §2; 1973 c.558 §10]

#### (Land Acquisition)

**390.332 Acquisition of scenic easements near Willamette River; nature of easement; restriction on use of condemnation.** (1) Except as otherwise provided in subsection (4) of this section, immediately after October 5, 1973, the Department of Transportation may acquire scenic easements on any lands situated within 150 feet from the ordinary low water line on each side of each channel of the Willamette River and on any lands

situated within 150 feet from the ordinary low water line of each island within the Willamette River. The department may acquire such easements by any method, including but not limited to the exercise of the power of eminent domain.

(2) Each scenic easement acquired under subsection (1) of this section shall:

(a) Be designed to preserve the vegetation along the Willamette River and the natural and scenic qualities of the lands subject to such easements and authorize the department, at its own expense, to engage in natural vegetative landscaping on such lands to enhance the natural and scenic qualities of such lands.

(b) Require the owner of the lands subject to such easement to carry on the use of such lands in a manner to preserve the existing vegetation and natural and scenic qualities of such lands and require the repair by the department, at its own expense, of any damage resulting from natural causes to vegetation on such lands.

(c) Not provide for public access or use of the lands subject to such easement, if such easement was acquired by the department through the exercise of the power of eminent domain.

(d) Provide that any subsequent farm use, as defined in subsection (2) of ORS 215.203, of the land subject to such easement is compatible with the purposes of the Willamette River Greenway and that any restrictions on the use of the land under such easement are suspended while such land is devoted to such farm use.

(e) Prevent the change in use of the lands subject to such easements except with the consent of the department and in accordance with the conditions imposed with such consent. The consent of the department and the conditions imposed therewith shall be in accordance with the intent and purposes of the Willamette River Greenway.

(3) Each scenic easement acquired under this section on lands that, on the date of the acquisition of such easement, were a part of a larger tract of land not subject to a scenic easement under ORS 390.310 to 390.368, shall provide for the right of the department to acquire fee title to the lands subject to such easement upon a change in the use of the lands in the remainder of such tract that is inconsistent with such scenic easement under ORS 390.310 to 390.368.

(4) The department may not acquire, through the exercise of the power of eminent domain, scenic easements under subsection (1) of this section on any lands that on October 5, 1973, are devoted to farm use, as defined in subsection (2) of ORS 215.203 or are a portion of a larger tract of land under single ownership that is devoted to such use. Upon a change in the use of any such lands from farm use, the department may acquire scenic easements in such lands as provided in ORS 390.334. Nothing in this subsection is intended to limit the power of the department to acquire, by any means other than the exercise of the power of eminent domain, a scenic easement on lands described in this subsection while such lands are devoted to such farm use. [1973 c.558 §5]

**390.334 Acquisition of scenic easements in lands subject to development plan; farmlands not to be acquired by condemnation; nature of easement; acquisition of other interests.** (1) Except as otherwise provided in subsection (2) of this section, after the date of the approval of the plan for the Willamette River Greenway or any segment thereof under ORS 390.322, the Department of Transportation may acquire scenic easements in any lands described in such plan or segment pursuant to paragraph (d) of subsection (2) of ORS 390.318. Each such easement may be acquired by any means, including but not limited to the exercise of the power of eminent domain.

(2) The department shall not acquire, through the exercise of the power of eminent domain, scenic easements in any lands situated within the boundaries of the Willamette River Greenway that are devoted to farm use on October 5, 1973, while such lands remain devoted to farm use. Upon a change in the use of any such lands from farm use, the department may acquire scenic easements in such lands as provided in subsection (1) of this section. Nothing in this subsection is intended to limit the power of the department to acquire, by any means other than the exercise of the power of eminent domain, a scenic easement on lands described in this subsection while such lands are devoted to such farm use. For the purpose of this subsection, "farm use" has the meaning given that term in subsection (2) of ORS 215.203.

(3) Each scenic easement acquired under subsection (1) of this section shall:

(a) Specify the use of the land existing on the date of the acquisition of the easement and permit the continuation of such use while the land is subject to such easement.

(b) With respect to scenic easements acquired through the exercise of the power of eminent domain, not provide for any rights of public access to or use of such lands under such easements.

(c) Provide that any subsequent farm use, as defined in subsection (2) of ORS 215.203, of the land subject to such easement is compatible with the purposes of the Willamette River Greenway and that any restrictions on the use of the land under such easement are suspended while such land is devoted to such farm use.

(d) Prevent the change in use of the lands subject to such easements except with the consent of the department and in accordance with the conditions imposed with such consent. The consent of the department and the conditions imposed therewith shall be in accordance with the intent and purposes of the Willamette River Greenway.

(4) In addition to a scenic easement acquired by the department under this section, the department may acquire, by any means other than the exercise of the power of eminent domain, a public easement providing for public access and use of such lands.

(5) At any time after the approval of the plan for the Willamette River Greenway or any segment thereof under ORS 390.322, the department may acquire, by any means other than the exercise of the power of eminent domain, lands or interests therein that are situated outside the boundaries of the Willamette River Greenway or the segment thereof as approved. Each such acquisition shall be designed to preserve the natural or scenic character of such lands in conjunction with the lands within the boundaries of the Willamette River Greenway. [1973 c.558 §6]

**390.338 Limitations on use of condemnation power; acquisition of certain farmlands; disposition of acquired lands; compensation for acquired lands.** (1) Notwithstanding ORS 390.110, the Department of Transportation may only exercise the power of eminent domain in the acquisition of lands or interests therein that are situated within the boundaries of the Willamette River Greenway for state parks or recreation areas in the parcels of land described in section 8a, chapter 558, Oregon Laws 1973.

(2) If any land acquired by the department under subsection (1) or (4) of this section is a part of a larger tract of land devoted to farm use on the date of the acquisition of such portion of the tract and such acquisition would render uneconomic an otherwise economic farming unit on the whole tract of land, upon the request of the owner of such tract of land, the department shall purchase the entire tract of land. The department shall, whenever practicable, acquire the remainder of any such tract of land with state funds so that the subsequent disposition of any such land will not be subject to restrictions imposed under agreements made for the receipt of nonstate funds otherwise available for the acquisition of such lands.

(3) The department may dispose of lands acquired pursuant to subsection (2) of this section that are located outside the boundaries of the Willamette River Greenway as it considers advisable. However, the disposition of any such lands must comply with the laws of this state and the applicable provisions of any agreement by which the department acquired funds for the purchase of such lands.

(4) Notwithstanding ORS 390.110, the department may only acquire, by any means other than the exercise of eminent domain, for state parks and recreation areas, lands and interests in lands that are situated within the boundaries of the Willamette River Greenway and that are situated outside the boundaries of the parcels of land described in section 8a, chapter 558, Oregon Laws 1973.

(5) In the acquisition of any lands pursuant to subsections (1), (2) and (4) of this section, the department shall include in the compensation and damages, if any, paid for such lands:

(a) As a part of the compensation, in valuing such lands as a whole, paid for any such lands acquired without condemnation proceedings initiated as provided in ORS 35.235, the estimated market value of economically extractable subsurface mineral aggregate deposits of reasonably foreseeable demand known to exist in such lands or shown by the owner to exist in such lands.

(b) As a part of the compensation and damages, if any, in valuing such lands as a whole, for the appropriation of any such lands, acquired by the department after the commencement of condemnation proceedings under ORS 35.235 but not pursuant to an award in a condemnation action initiated

under ORS 35.245, the estimated market value of economically extractable subsurface mineral aggregate deposits of reasonably foreseeable demand agreed upon by the department and the owner of lands so acquired.

(c) As a part of the true value and damages, in valuing such lands as a whole, for the appropriation of such lands acquired by award in a condemnation action initiated under ORS 35.245, the estimated market value of economically extractable subsurface mineral aggregate deposits of reasonably foreseeable demand alleged in the answer of the defendant made pursuant to ORS 35.295 and proved by the defendant as a matter of defense to be a part of the true value of such lands so acquired.

(6) This section does not apply to the acquisition of any lands or interests therein acquired for state parks or recreation areas prior to October 5, 1973, and to any lands or interests in land subject to a legally enforceable option held by the state on October 5, 1973, for the purposes of the acquisition of such lands or interests for state parks and recreation areas. [1973 c.558 §8]

#### (Miscellaneous)

**390.340 Department rules.** The Department of Transportation shall make and promulgate rules and regulations that it considers necessary in carrying out ORS 390.310 to 390.368. [1967 c.551 §4; 1973 c.558 §11]

**390.350 Intergovernmental agreements; use of gifts and grants.** Units of local government may enter into agreements with the department and with each other in carrying out the purposes of the Willamette River Greenway, and may accept and use gifts and grants from the department or others. [1967 c.551 §5; 1973 c.558 §12]

**390.360 Title to, and use and disposition of, lands acquired by local governmental units.** All lands or interests in lands acquired and all historical sites, structures, facilities and objects preserved and restored by the units of local government pursuant to ORS 390.330 with grants of money from the Department of Transportation, may be used only for the purposes of the Willamette River Greenway as set forth in ORS 390.314, unless a different use is authorized by the department. Title to the lands or interest therein so acquired shall be held by the unit of local government acquiring the same. Such lands or

interest therein and such historical sites, structures, facilities and objects preserved and restored shall never be disposed of or sold except upon the approval and consent of the department. [1967 c.551 §6; 1973 c.87 §3; 1973 c.558 §13]

**390.364 Taxation of lands subject to scenic easements.** For the purposes of taxation, lands that are subject to a scenic easement acquired under ORS 390.332 or a scenic or public easement acquired under ORS 390.334 shall be assessed on the basis of the true cash value of the land less any reduction in value caused by the easement. The easements shall be exempt from assessment and taxation as any land owned by the state is so exempt. [1973 c.558 §7]

**390.368 Authority to contract landscaping and repair of damage to lands subject to scenic easement.** In carrying out the purposes of ORS 390.310 to 390.368 the Department of Transportation may enter into contracts with any agency of the United States, this state or a political subdivision thereof, or with any private person, agency or corporation to perform natural vegetative landscaping or to perform work to restore damage resulting from natural causes to vegetation on any land subject to a scenic easement within the boundaries of the Willamette River Greenway in accordance with the terms of the scenic easement acquired on such land. [1973 c.558 §9]

### COLUMBIA RIVER GORGE

**390.410 Definitions for ORS 390.410 to 390.460.** As used in ORS 390.410 to 390.460, unless the context requires otherwise, "commission" means the Columbia River Gorge Commission. [Formerly 358.610]

**390.415 Declaration of policy.** The Legislative Assembly hereby declares it is the public policy of the State of Oregon to maintain the scenic splendor of the Columbia River Gorge and in furtherance thereof:

(1) To protect and enhance the scenic and other unique qualities of the Columbia River Gorge for public use and enjoyment;

(2) To preserve and protect areas within the Columbia River Gorge that are of significant geologic and ecologic interest for scientific study and public education;

(3) To preserve and restore historical and archaeological sites, structures, facilities and

objects on lands adjacent to the Columbia River; and

(4) To preserve and maintain the Columbia River Gorge as a major transportation corridor. [1977 c.482 §2]

**390.420 Columbia River Gorge Commission; compensation and expenses.** (1) For the purpose of furthering the public policy of this state relating to the Columbia River Gorge, there hereby is created the Columbia River Gorge Commission. The commission shall consist of five members who are residents of this state and shall be appointed by the Governor on a nonpartisan basis. In making the appointments under this subsection the Governor shall select one member from Hood River County, one member from Multnomah County, one member from Wasco County and the remaining members from the state at large. Except for the members first appointed, each member of the commission shall hold office for a term of four years commencing on April 1 of the year in which he is appointed. Vacancies shall be filled for the unexpired term in the same manner as other appointments are made.

(2) The first members of the commission shall be appointed for the following terms:

- (a) One member for two years.
- (b) Two members for three years.
- (c) Two members for four years.

(3) Members are entitled to compensation and expenses as provided in ORS 292.495.

[Formerly 358.615; 1969 c.314 §31; 1977 c.482 §4]

**390.430 General duties and powers of gorge commission.** (1) The commission has the following duties and powers:

(a) To acquire and dispose of land in the name of the state by purchase, exchange, transfer, gift or devise.

(b) To enter into such contracts as are necessary to carry out the provisions of ORS 390.410 to 390.460.

(c) To assist and cooperate with other agencies and political subdivisions of the state, state agencies, the State of Washington, the Federal Government, special purpose districts, private organizations and individuals to the extent necessary to carry out the provisions of ORS 390.410 to 390.450.

(2) In carrying out the functions provided in subsection (1) of this section, the commission shall serve as an advisory body to interested local, state and federal agencies acting

within the scope of their comprehensive land use planning and other responsibilities.

[Formerly 358.620; 1977 c.482 §5]

**390.440** [Formerly 358.625; repealed by 1977 c.482 §6]

**390.450 Disposition of moneys received by gorge commission; Columbia River Gorge Fund.** All moneys from whatever source received by the commission, including moneys received by gift, bequest or contribution, shall be paid into the State Treasury for deposit to the credit of the Columbia River Gorge Fund which fund hereby is created. Notwithstanding the provisions of ORS 291.238, the moneys placed in this fund are appropriated continuously for the purposes set forth in ORS 390.410 to 390.460. The expenditures of the commission shall be made from this fund upon vouchers approved by the commission. Moneys received from gifts may be expended in accordance with the terms thereof. [Formerly 358.630]

**390.460 Columbia River Gorge Boundaries.** The Columbia River Gorge includes all islands and portions thereof lying within the Oregon portion of the Columbia River, as well as the mainland portion of the Oregon side of the Columbia River Gorge, beginning at a point where the projected center line of the Sandy River intersects the Oregon-Washington boundary, thence east along said boundary to the point of intersection with the east boundary of Wasco County in township 2 north, range 15 east, Willamette Meridian and Base Line, proceed south along the Wasco County boundary (Deschutes River) to the point where it intersects the east-west center line of section 26; thence west to the center, section 27; thence north to the north quarter corner, section 27; thence west to the northwest corner, section 27; thence north to the west quarter corner, section 22; thence west to the center of section 21; thence north to the north quarter corner, section 21; thence west to the northwest corner, section 21; thence south to the west quarter corner, section 21; thence west to the center of section 21, township 2 north, range 14 east; thence south to the south quarter corner, section 21; thence west to the southwest corner, section 21; thence south to the east quarter corner, section 29; thence west to the center of section 29; thence south to the south quarter corner, section 29; thence west to the southwest corner, section 29; thence south to the southeast corner, section 31; thence west to the south

quarter corner, section 31; thence south to the south quarter corner, section 6, township 1 north, range 14 east; thence west to the north sixteenth corner of the northwest quarter, section 7; thence south to the center sixteenth of the northwest quarter, section 7; thence west to the east sixteenth corner of the northwest quarter, section 12, township 1 north, range 13 east; thence south to the east sixteenth corner of the southwest quarter, section 12; thence west to the east sixteenth corner of the southeast quarter, section 9; thence north to the east quarter corner, section 9; thence west to the center of section 9; thence north to the north quarter corner, section 9; thence west to where it intersects donation land claim 42; thence north to the northeast corner, donation land claim 42; thence west to the point of intersection with the north-south center line, section 5; thence north to the center of section 5; thence west to the west quarter corner, section 5; thence north to the northwest corner, section 5; thence west to the southeast corner, section 31, township 2 north, range 13 east; thence north to the northeast corner, section 31; thence west to the north quarter corner, section 31; thence north to the north quarter corner, section 30; thence west to the southwest corner, section 19; thence north to the west quarter corner, section 19; thence west to the center of section 24, township 2 north, range 12 east; thence north to the center of section 13; thence west to the west quarter of section 13; thence north to the northwest corner, section 13; thence west to the south quarter corner, section 9; thence north to the center of section 9; thence west to the center of section 8; thence north to the north quarter corner, section 8; thence west to the north quarter corner, section 12, township 2 north, range 11 east; thence south to the center of section 12; thence west to the center of section 9; thence north to the center of section 4; thence west to the west quarter corner, section 4; thence north to the northwest corner, section 4; thence west to the northwest corner, section 5; thence north to the east quarter corner, section 31, township 3 north, range 11 east; thence west to the west quarter corner, section 31; thence north to the northeast corner, section 36, township 3 north, range 10 east; thence west to the northwest corner, section 34; thence south to the west quarter corner, section 34; thence west to the west quarter corner, section 33; thence south to the southwest corner, section 33; thence west to the southwest corner, section 32; thence south

to the east quarter corner, section 6, township 2 north, range 10 east; thence west to the west quarter corner, section 6; thence south to the east quarter corner, section 1, township 2 north, range 9 east; thence west to the center of section 1; thence south to the south quarter corner, section 1; thence west to the south quarter corner, section 2; thence north to the center of section 2; thence west to the west quarter corner, section 2; thence south to the center of section 10; thence west to the center of section 9; thence south to the south quarter corner, section 9; thence west to the southwest corner, section 9; thence north to the west quarter corner, section 9; thence west to the center of section 8; thence south to the south quarter corner, section 8; thence west to the southwest corner, section 8; thence south to the east quarter corner, section 18; thence west to the center of section 18; thence north to the center of section 7; thence west to the west quarter corner, section 7; thence south to the southwest corner, section 7; thence west to the north quarter corner, section 13, township 2 north, range 8 east; thence south to the center of section 13; thence west to the west quarter corner, section 13; thence north to the west quarter corner, section 12; thence west to the center of section 11; thence south to the south quarter corner, section 14; thence west to the southwest corner, section 15; thence north to the east quarter corner, section 16; thence west to the center of section 16; thence south to the south quarter corner, section 16; thence west to the southwest corner, section 16; thence south to the east quarter corner, section 20; thence west to the center of section 20; thence south to the south quarter corner, section 20; thence west to the southwest corner, section 20; thence south to the southeast corner, section 30; thence west to the southwest corner, section 30; thence north to the east quarter corner, section 25, township 2 north, range 7 east; thence west to the west quarter corner, section 25; thence south to the east quarter corner, section 35; thence west to the center of section 35; thence south to the south quarter corner, section 35; thence west to the northwest corner, section 2, township 1 north, range 7 east; thence south to the west quarter corner, section 11; thence west to the center of section 9; thence north to the north quarter corner, section 9; thence west to the northwest corner, section 8; thence south to the west quarter corner, section 8; thence west to the center of section 11, township 1 north, range 6 east; thence south to the center of section 14; thence west to the center of section

15; thence south to the north quarter corner, section 22; thence east to the northeast corner, section 22; thence south to the east quarter corner, section 22; thence west to the center of section 22; thence south to the south quarter corner, section 22; thence west to the southwest corner of section 22; thence north to the west quarter corner, section 22; thence west to the center of section 21; thence north to the center of section 16; thence west to the west quarter corner, section 16; thence north to the northwest corner, section 16; thence west to the north quarter corner, section 17; thence south to the center of section 17; thence east to the east quarter corner, section 17; thence south to the southeast corner, section 17; thence west to the north quarter corner, section 24, township 1 north, range 5 east; thence south to the center of section 24; thence west to the center of section 23; thence south to the south quarter corner, section 23; thence east to the northeast corner of section 26; thence south to the east quarter corner, section 26; thence east to the center of section 25; thence south to the center of section 36; thence west to the west quarter corner, section 32; thence south to the southeast corner, section 31; thence west to the south quarter corner, section 31; thence north to the center of section 31; thence west to the west quarter corner, section 33, township 1 north, range 4 east; thence north to the northeast corner, section 32; thence west to the south quarter corner, section 30; thence north to the center of section 30; thence west to the center line of the Sandy River; thence northward up the center line of the Sandy River to the point of beginning. [1977 c.482 §3]

### OCEAN SHORES; STATE RECREATION AREAS (General Provisions)

**390.605 "Improvement," "ocean shore," and "state recreation area" defined.** As used in ORS 390.610, 390.620 to 390.660, 390.680, 390.690, and 390.705 to 390.770, unless the context requires otherwise:

(1) An "improvement" includes a structure, appurtenance or other addition, modification or alteration constructed, placed or made on or to the land.

(2) "Ocean shore" means the land lying between extreme low tide of the Pacific Ocean and the line of vegetation as established and described by ORS 390.770.

(3) "State recreation area" means a land or water area, or combination thereof, under the jurisdiction of the Department of Transportation, pursuant to subsection (3) of ORS 366.205, used by the public for recreational purposes. [Formerly 274.065 and then 390.710]

**390.610 Policy.** (1) The Legislative Assembly hereby declares it is the public policy of the State of Oregon to forever preserve and maintain the sovereignty of the state heretofore legally existing over the ocean shore of the state from the Columbia River on the north to the Oregon-California line on the south so that the public may have the free and uninterrupted use thereof.

(2) The Legislative Assembly recognizes that over the years the public has made frequent and uninterrupted use of the ocean shore and recognizes, further, that where such use has been legally sufficient to create rights or easements in the public through dedication, prescription, grant or otherwise, that it is in the public interest to protect and preserve such public rights or easements as a permanent part of Oregon's recreational resources.

(3) Accordingly, the Legislative Assembly hereby declares that all public rights or easements legally acquired in those lands described in subsection (2) of this section are confirmed and declared vested exclusively in the State of Oregon and shall be held and administered as state recreation areas.

(4) The Legislative Assembly further declares that it is in the public interest to do whatever is necessary to preserve and protect scenic and recreational use of Oregon's ocean shore. [1967 c.601 §§1, 2(1), (2), (3); 1969 c.601 §4]

**390.615 Ownership of Pacific shore; declaration as state recreation area.** Ownership of the shore of the Pacific Ocean between ordinary high tide and extreme low tide, and from the Oregon and Washington state line on the north to the Oregon and California state line on the south, excepting such portions as may have been disposed of by the state prior to July 5, 1947, is vested in the State of Oregon, and is declared to be a state recreation area. No portion of such ocean shore shall be alienated by any of the agencies of the state except as provided by law. [Formerly 274.070 and then 390.720]

**390.620 Pacific shore not to be alienated; judicial confirmation.** (1) No portion of the lands described by ORS 390.610 or any interest either therein now or hereafter ac-

quired by the State of Oregon or any political subdivision thereof shall be alienated except as expressly provided by state law. The Department of Transportation and the State Land Board shall have concurrent jurisdiction to undertake appropriate court proceedings, when necessary, to protect, settle and confirm all such public rights and easements in the State of Oregon.

(2) No portion of the ocean shore declared a state recreation area by ORS 390.610 shall be alienated by any of the agencies of the state except as provided by law.

(3) In carrying out its duties under subsection (1) of this section with respect to lands and interests in land within the ocean shore, the State Land Board shall act with respect to the portion of the tidal submerged lands, as defined in subsection (7) of ORS 274.705, and the submersible lands, as defined in subsection (8) of ORS 274.005, that are situated within the ocean shore as it does with respect to other state-owned submerged and submersible lands within navigable waters of this state.

(4) In carrying out its duties under subsection (1) of this section with respect to lands and interests in land within the ocean shore, the Department of Transportation shall act with respect to such lands and interests as it does with respect to other lands and interests within state recreation areas. [1967 c.601 §2(4), 3; 1969 c.601 §5; 1973 c.364 §1]

**390.630 Acquisition along ocean shore for state recreation areas or access.** The Department of Transportation, in accordance with ORS 390.110, may acquire ownership of or interests in the ocean shore or lands abutting, adjacent or contiguous to the ocean shore as may be appropriate for state recreation areas or access to such areas where such lands are held in private ownership. However, when acquiring ownership of or interests in lands abutting, adjacent or contiguous to the ocean shore for such recreation areas or access where such lands are held in private ownership, the department shall consider the following:

(1) The availability of other public lands in the vicinity for such recreational use or access.

(2) The land uses, improvements, and density of development in the vicinity.

(3) Existing public recreation areas and accesses in the vicinity.

(4) Any local zoning or use restrictions affecting the area in question. [1967 c.601 §4; 1969 c.601 §6]

### (Regulating Use of Ocean Shore)

**390.635 Jurisdiction of department over recreation areas.** Except as provided by ORS 273.551, 274.710 and 390.620, the Department of Transportation has jurisdiction over the land and interests in land acquired under ORS 390.610, 390.615, 390.620 or 390.630 in order to carry out the purposes of ORS 390.610, 390.620 to 390.660, 390.680, 390.690 and 390.705 to 390.770. [1969 c.601 §21; 1973 c.364 §2]

**390.640 Permit required for improvements on ocean shore; exceptions.** (1) In order to promote the public health, safety and welfare, to protect the state recreation areas recognized and declared by ORS 390.610 and 390.615, to protect the safety of the public using such areas, and to preserve values adjacent to and adjoining such areas, the natural beauty of the ocean shore and the public recreational benefit derived therefrom, it is necessary to control and regulate improvements on the ocean shore. Unless a permit therefor is granted as provided by ORS 390.650, no person shall make an improvement on any property that is within the area described by ORS 390.770.

(2) This section does not apply to permits granted pursuant to ORS 390.715, or to rules promulgated or permits granted under ORS 390.725.

(3) This section does not apply to continuous extensions of densely vegetated land areas which are above the 16 foot contour and lying seaward of the line established by ORS 390.770 as of August 22, 1969. The elevation mentioned in this subsection refers to the United States Coast and Geodetic Survey Sea-Level Datum of 1929 through the Pacific Northwest Supplementary Adjustment of 1947. [1967 c.601 §5; 1969 c.601 §7; 1973 c.642 §14]

**390.650 Improvement permit procedure.** (1) Any person who desires a permit to make an improvement on any property subject to ORS 390.640 shall apply in writing to the Parks and Recreation Division on a form and in a manner prescribed by the division, stating the kind of and reason for the improvement.

(2) Upon receipt of a properly completed application, the Parks and Recreation Division shall cause notice of the application to be posted at or near the location of the proposed improvement. The notice shall include the name of the applicant, a description of the proposed improvement and its location and a statement of the time within which interested persons may file a request with the division for a hearing on the application. The division shall give notice of any application, hearing or decision to any person who files a written request with the division for such notice.

(3) Within 30 days after the date of posting the notice required in subsection (2) of this section, the applicant or 10 or more other interested persons may file a written request with the Parks and Recreation Division for a hearing on the application. If such a request is filed, the division shall set a time for a hearing to be held by the division. The division shall cause notice of the hearing to be posted in the manner provided in subsection (2) of this section. The notice shall include the time and place of the hearing. After the hearing on an application or, if a hearing is not requested, after the time for requesting a hearing has expired, the division shall grant the permit if approval would not be adverse to the public interest. ORS 183.310 to 183.500 does not apply to a hearing or decision under this section.

(4) In acting on an application, the Parks and Recreation Division shall take into consideration the matters described by ORS 390.655. The division shall act on an application within 60 days after the date of receipt or, if a hearing is held, within 45 days after the date of the hearing.

(a) If the permit is denied upon the grounds that the same would be adverse to the public interest the division shall make written findings setting forth the specific reasons for the denial.

(b) A copy of the written findings shall be furnished to the applicant within 30 days following denial of the application as provided in this subsection.

(5) Subsections (2) and (3) of this section do not apply to an application for a permit for the repair, replacement or restoration, in the same location, of an authorized improvement or improvement existing on or before May 1, 1967, if the repair, replacement or restoration is commenced within three years after the

damage to or destruction of the improvement being repaired, replaced or restored occurs.

(6) The Parks and Recreation Division may, upon application therefor, either written or oral, grant an emergency permit for a new improvement, dike, revetment, or for the repair, replacement or restoration of an existing, or authorized improvement where property or property boundaries are in imminent peril of being destroyed or damaged by action of the Pacific Ocean or the waters of any bay or river of this state. Said permit may be granted by the division without regard to the provisions of subsections (1), (2), (3), (4) and (5) of this section. Any emergency permit granted hereunder shall be reduced to writing by the division within 10 days after granting the same with a copy thereof furnished to the applicant. [1967 c.601 §6; 1969 c.601 §10; 1979 c.186 §21]

**390.655 Standards for improvement permits.** The Parks and Recreation Division shall consider applications and issue permits under ORS 390.650 in accordance with standards designed to promote the public health, safety and welfare and carry out the policy of ORS 390.610, 390.620 to 390.660, 390.680, 390.690, and 390.705 to 390.770. The standards shall be based on the following considerations, among others:

(1) The public need for healthful, safe, esthetic surroundings and conditions; the natural scenic, recreational and other resources of the area; and the present and prospective need for conservation and development of those resources.

(2) The physical characteristics or the changes in the physical characteristics of the area and suitability of the area for particular uses and improvements.

(3) The land uses, including public recreational use if any, and the improvements in the area, the trends in land uses and improvements, the density of development and the property values in the area.

(4) The need for recreation and other facilities and enterprises in the future development of the area and the need for access to particular sites in the area. [1969 c.601 §11; 1979 c.186 §22]

**390.658 Judicial review of division action on improvement permit application.** Any person aggrieved by the decision of the Parks and Recreation Division under ORS

390.650 is entitled to petition the circuit court of the county where the property is located for a judicial review, de novo as in equity, of the action or failure to act by the division. A petition filed under this section shall be filed within 60 days after the entry of the findings provided for in subsection (4) of ORS 390.650 or after the expiration of the period prescribed for action, by the division under ORS 390.650. [1969 c.601 §12; 1979 c.186 §23]

**390.660 Regulation of use of lands adjoining ocean shores.** The Department of Transportation is hereby directed to protect, to maintain and to promulgate rules governing use of the public of property that is subject to ORS 390.640, property subject to public rights or easements declared by ORS 390.610 and property abutting, adjacent or contiguous to those lands described by ORS 390.615 that is available for public use, whether such public right or easement to use is obtained by dedication, prescription, grant, state-ownership, permission of a private owner or otherwise. [1967 c.601 §7; 1969 c.601 §16]

**390.665** [Formerly 274.100 and then 390.740; repealed by 1971 c.743 §432]

**390.668 Motor vehicles and aircraft use regulated in certain zones; zone markers; proceedings to establish zones.** (1) The Department of Transportation may establish zones on the ocean shore where travel by motor vehicles or landing of any aircraft except for an emergency shall be restricted or prohibited. After the establishment of a zone and the erection of signs or markers thereon, no such use shall be made of such areas except in conformity with the rules of the department.

(2) Proceedings to establish a zone:

(a) May be initiated by the department on its own motion; or

(b) Shall be initiated upon the request of 20 or more landowners or residents or upon request of the governing body of a county or city contiguous to the proposed zone.

(3) A zone shall not be established unless the department first holds a public hearing in the vicinity of the proposed zone. The department shall cause notice of the hearing to be given by publication, not less than seven days prior to the hearing, by at least one insertion in a newspaper of general circulation in the vicinity of the zone.

(4) Before establishing a zone, the department shall seek the approval of the local gov-

ernment whose lands are adjacent or contiguous to the proposed zone. [Formerly 274.090 and then 390.730]

**390.670** [1967 c.601 §8; 1969 c.601 §13; repealed by 1971 c.780 §7]

**390.680** [1967 c.601 §9; 1969 c.601 §17; repealed by 1973 c.732 §5]

**390.685 Effect of ORS 390.605, 390.615, 390.668 and 390.685.** Nothing in ORS 390.605, 390.615, 390.668 and 390.685 is intended to repeal ORS 492.780 to 492.810. [Formerly 274.110 and then 390.750]

**390.690 Title and rights of state unimpaired.** Nothing in ORS 390.610, 390.620 to 390.660, 390.680, 390.690 and 390.705 to 390.770 shall be construed to relinquish, impair or limit the sovereign title or rights of the State of Oregon in the shores of the Pacific Ocean as the same may exist before or after July 6, 1967. [1967 c.601 §10]

### (Special Permits)

**390.705 Prohibition against placing certain conduits across recreation area and against removal of natural products.** No person shall:

(1) Place any pipeline, cable line or other conduit across and under the state recreation areas described by ORS 390.635 or the submerged lands adjacent to the ocean shore, except as provided by ORS 390.715.

(2) Remove any natural product from the ocean shore, other than fish or wildlife, agates or souvenirs, except as provided by ORS 390.725. [1969 c.601 §20]

**390.710** [Formerly 274.065; 1969 c.601 §2; renumbered 390.605]

**390.715 Permits for pipe, cable or conduit across ocean shore and submerged lands.** (1) The Department of Transportation may issue permits under ORS 390.650 to 390.658 for pipelines, cable lines and other conduits across and under the ocean shore and the submerged lands adjacent to the ocean shore, upon payment of just compensation by the permittee. Such permit is not a sale or lease of tide and overflow lands within the scope of ORS 274.040.

(2) Whenever the issuance of a permit under subsection (1) hereof will affect lands owned privately, the Department of Transportation shall withhold the issuance of such permit until such time as the permittee shall

have obtained an easement, license or other written authorization from the private owner, which easement, license or other written authority must meet the approval of the Department of Transportation, except as to the compensation to be paid to the private owner.

(3) All permits issued under this section are subject to conditions that will assure safety of the public and the preservation of economic, scenic and recreational values and to rules promulgated by state agencies having jurisdiction over the activities of the grantee or permittee. [1969 c.601 §22]

**390.720** [Formerly 274.070; renumbered 390.615]

**390.725 Permits for removal of products along ocean shore.** (1) No sand, rock, mineral, marine growth or other natural product of the ocean shore, other than fish or wildlife, agates or souvenirs, shall be taken from the state recreation areas described by ORS 390.635, except in compliance with a rule of or permit from the Department of Transportation as provided by this section. Permits shall provide for the payment of just compensation by the permittee as provided in subsection (5) of this section.

(2) Rules or permits shall be made or granted by the Department of Transportation only after consultation with the State Fish and Wildlife Commission, the State Department of Geology and Mineral Industries and the Division of State Lands. Rules and permits shall contain provisions necessary to protect the areas from any use, activity or practice inimicable to the conservation of natural resources or public recreation.

(3) On request of the governing body of any coastal city or county, the Department of Transportation may grant a permit for the removal of sand or rock from the area at designated locations on the ocean shore to supply the reasonable needs for essential construction uses in such localities if it appears sand and rock for such construction are not otherwise obtainable at reasonable cost, and if such removal will not materially alter the physical characteristics of the area or adjacent areas, nor lead to such changes in subsequent seasons. Before issuing a permit the department shall likewise take into consideration the standards described by ORS 390.655. The department may grant a permit to take and remove sand, rock, mineral or marine growth from the area at designated locations. The department shall also issue permits to coastal cities or counties to remove or authorize re-

moval of sand from the ocean shore, under the standards provided by ORS 390.655, if the city or county determines that the sand accumulation on the ocean shore constitutes a hazard or maintenance problem to the city or county.

(4) The terms, royalty and duration of a permit under this section are at the discretion of the department. A permit is revocable at any time in the discretion of the department without liability to the permittee.

(5) Whenever the issuance of a permit under this section will affect lands owned privately, the Department of Transportation shall withhold the issuance of such permit until such time as the permittee shall have obtained an easement, license or other written authorization from the private owner, which easement, license or other written authority must meet the approval of the department, except as to the compensation to be paid to the private owner. [1969 c.601 §23]

**390.730** [Formerly 274.090; 1969 c.601 §18; renumbered 390.668]

**390.735** [1969 c.601 §25; repealed by 1973 c.642 §13]

**390.740** [Formerly 274.100; renumbered 390.665]

**390.750** [Formerly 274.110; 1969 c.601 §19; renumbered 390.685]

### (Vegetation Line)

**390.755 Periodical reexamination of vegetation line; division recommendations for adjustment.** (1) The Parks and Recreation Division is directed to periodically reexamine the line of vegetation as established and described by ORS 390.770 for the purpose of obtaining information and material suitable for a re-evaluation and re-definition, if necessary, of such line so that the private and public rights and interest in the ocean shore shall be preserved.

(2) The Department of Transportation may, from time to time, recommend to the Legislative Assembly adjustment of the line described in ORS 390.770. [1969 c.601 §27; 1979 c.186 §24]

**390.760 Exceptions from vegetation line.** ORS 390.640 does not apply to any state-owned land or to headlands and other lands located at an elevation of more than 16 feet and seaward of a line running between the following designated and numbered points which are more particularly described by ORS 390.770. The elevation mentioned in this section refers to the United States Coast and

Geodetic Survey Sea-Level Datum of 1929 through the Pacific Northwest Supplementary Adjustment of 1947.

scribed according to the Oregon Coordinate System, as defined by ORS 93.330, as follows:

Point Designation and Number		Point Designation and Number	
From	To	From	To
Cl-7-6	Cl-7-7	Cl-7-55	Cl-7-56
Cl-7-10	Cl-7-11	Cl-7-76	Cl-7-77
Cl-7-13	Cl-7-14	Cl-7-115	Cl-7-116
Cl-7-52	Cl-7-53	Cl-7-134	Cl-7-135
Ti-7-3	Ti-7-4	La-7-72	La-7-73
Ti-7-6	Ti-7-7	La-7-87	La-7-88
Ti-7-18	Ti-7-19	Do-8-78	Do-8-79
Ti-7-33	Ti-7-34	Co-7-82	Co-7-83
Ti-7-83	Ti-7-84	Co-7-111	Co-7-112
Ti-7-88	Ti-7-89	Co-7-146	Co-7-147
Ti-7-94	Ti-7-95	Co-7-178	Co-7-179
Ti-7-99	Ti-7-100	Co-7-200	Co-7-201
Ti-7-113	Ti-7-114	Co-7-229	Co-7-230
Ti-7-168	Ti-7-169	Cu-7-25	Cu-7-26
Ti-7-183	Ti-7-184	Cu-7-54	Cu-7-55
Ti-7-249	Ti-7-250	Cu-7-155	Cu-7-156
Li-7-2A	Li-7-3	Cu-7-167	Cu-7-167A
Li-7-10	Li-7-11	Cu-7-167E	Cu-7-168
Li-7-17	Li-7-18	Cu-7-174	Cu-7-175
Li-7-73	Li-7-74	Cu-7-196	Cu-7-197
Li-7-118	Li-7-119	Cu-7-201	Cu-7-202
Li-7-150	Li-7-151	Cu-7-219	Cu-7-220
Li-7-154	Li-7-155	Cu-7-225	Cu-7-226
Li-7-161	Li-7-162	Cu-7-236	Cu-7-237
Li-7-165	Li-7-166	Cu-7-258	Cu-7-259
Li-7-167A	Li-7-168	Cu-7-268	Cu-7-269
Li-7-170	Li-7-171	Cu-7-288	Cu-7-289
Li-7-176	Li-7-177	Cu-7-310	Cu-7-311
Li-7-182	Li-7-183	Cu-7-314	Cu-7-315
Li-7-215	Li-7-216	Cu-7-363	Cu-7-364
Li-7-269	Li-7-270	Cu-7-382	Cu-7-383
Li-7-293	Li-7-294	Cu-7-393	Cu-7-394
Li-7-296	Li-7-297	Cu-7-400	Cu-7-401
Li-7-314	Li-7-315	Cu-7-440	Cu-7-441
Li-7-325	Li-7-326	Cu-7-451	Cu-7-452
Li-7-357	Li-7-358	Cu-7-459	Cu-7-460
Li-7-377	Li-7-378	Cu-7-493	Cu-7-494
Li-7-439	La-7-1	Cu-7-513	Cu-7-514
La-7-9	La-7-10	Cu-7-516	Cu-7-517
La-7-19	La-7-20	Cu-7-538	Cu-7-539
La-7-44	La-7-45	Cu-7-557	Cu-7-558

[1969 c.601 §9]

**390.770 Vegetation line described.**

Except for the areas described by ORS 390.760, ORS 390.640 applies to all the land located along the Pacific Ocean between the Columbia River and the Oregon-California boundary between extreme low tide and the lines of vegetation as established and de-

scribed according to the Oregon Coordinate System, as defined by ORS 93.330, as follows:  
Beginning near the south jetty of the Columbia River in section 35 of township 9 north, range 11 west of the Willamette Meridian in Clatsop County, Oregon, at a point on the Oregon Coordinate System, north zone, located at y-coordinate 951,840 and x-coordinate 1,112,374, hereby designated point number Cl-7-1; thence from point number Cl-7-1 southerly along the Pacific Coast by a series of straight lines connecting the following designated, numbered and described points in consecutive order to the Oregon-California boundary line near the section line between section 26 of township 41 south, range 13 west of the Willamette Meridian in Curry County, Oregon, and section 32 of township 19 north, range 1 west of the Humboldt Meridian in Del Norte County, California, at a point on the Oregon Coordinate System, south zone, located at y-coordinate 143,339 and x-coordinate 991,832, hereby designated point number Cu-7-634.

Point Number	Oregon Coordinate System, north zone	
	y-coordinate	x-coordinate
Cl-7-1	951,840	1,112,374
Cl-7-2	951,448	1,112,500
Cl-7-3	951,011	1,112,297
Cl-7-4	950,883	1,112,300
Cl-7-5	950,172	1,112,573
Cl-7-6	947,537	1,113,734

**Description of Location of Point Number Cl-7-6:** A point near the north boundary of Fort Stevens State Park located in section 1 of township 8 north, range 11 west of the Willamette Meridian in Clatsop County.

Cl-7-7	938,451	1,117,616
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**Description of Location of Point Number Cl-7-7:** A point near the south boundary of Fort Stevens State Park located in section 12 of township 8 north, range 11 west of the Willamette Meridian in Clatsop County.

Cl-7-8	938,232	1,117,707
Cl-7-9	936,446	1,118,379
Cl-7-10	934,923	1,118,944

**Description of Location of Point Number Cl-7-10:** A point near the north boundary of Fort Stevens State Park located in section 18 of township 8 north, range 10 west of the Willamette Meridian in Clatsop County.

Cl-7-11	934,462	1,119,114
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**Description of Location of Point Number CI-7-11:** A point near the south boundary of Fort Stevens State Park located in section 18 of township 8 north, range 10 west of the Willamette Meridian in Clatsop County.

CI-7-12	928,335	1,121,309
CI-7-13	924,266	1,122,688

**Description of Location of Point Number CI-7-13:** A point near the north boundary of Camp Rilea located in section 30 of township 8 north, range 10 west of the Willamette Meridian in Clatsop County.

CI-7-14	907,691	1,127,287
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**Description of Location of Point Number CI-7-14:** A point near the south boundary of Camp Rilea near the section line between sections 8 and 9 of township 7 north, range 10 west of the Willamette Meridian in Clatsop County.

CI-7-14A	907,381	1,127,433
CI-7-14B	907,016	1,127,370
CI-7-14C	906,835	1,127,526
CI-7-15	905,439	1,127,761
CI-7-16	904,776	1,127,962
CI-7-17	903,245	1,128,184
CI-7-18	902,731	1,128,287
CI-7-19	901,368	1,128,474
CI-7-20	898,590	1,128,920
CI-7-21	896,168	1,129,206
CI-7-22	890,480	1,129,617
CI-7-23	887,910	1,129,729
CI-7-24	886,521	1,129,795
CI-7-25	884,198	1,129,862
CI-7-26	881,377	1,129,860
CI-7-26A	880,815	1,129,949
CI-7-27	880,455	1,129,849
CI-7-28	875,597	1,129,783
CI-7-29	875,155	1,129,814
CI-7-30	874,962	1,129,941
CI-7-31	874,833	1,130,075
CI-7-32	874,742	1,130,275
CI-7-33	871,379	1,129,723
CI-7-34	870,596	1,129,609
CI-7-35	869,710	1,129,493
CI-7-36	869,355	1,129,382
CI-7-37	868,555	1,129,147
CI-7-38	866,858	1,128,737
CI-7-38A	866,773	1,128,608
CI-7-39	866,671	1,128,687
CI-7-39A	865,842	1,128,515
CI-7-39B	865,648	1,128,349
CI-7-40	864,302	1,128,029
CI-7-41	861,388	1,127,089
CI-7-42	860,891	1,126,818
CI-7-43	860,700	1,126,612
CI-7-44	860,343	1,125,571

CI-7-45	860,321	1,125,395
CI-7-46	860,345	1,125,062
CI-7-47	860,402	1,124,721
CI-7-48	860,470	1,123,656
CI-7-49	860,541	1,122,956
CI-7-50	860,092	1,121,701
CI-7-51	859,879	1,120,816
CI-7-52	859,663	1,120,509

**Description of Location of Point Number CI-7-52:** A point about one mile southwest of the City of Seaside near the north boundary of Ecola State Park near the section line between sections 29 and 30 of township 6 north, range 10 west of the Willamette Meridian in Clatsop County.

CI-7-53	837,531	1,117,635
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**Description of Location of Point Number CI-7-53:** A point on the south side of Tillamook Head near the south boundary of Ecola State Park and near the section line between sections 18 and 19 of township 5 north, range 10 west of the Willamette Meridian in Clatsop County.

CI-7-54	836,827	1,117,747
CI-7-55	836,688	1,117,698

**Description of Location of Point Number CI-7-55:** A point near the north end of the headlands at Chapman Point located in section 19 of township 5 north, range 10 west of the Willamette Meridian in Clatsop County.

CI-7-56	836,403	1,118,094
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**Description of Location of Point Number CI-7-56:** A point near the southerly end of the headlands at Chapman Point located in section 19 of township 5 north, range 10 west of the Willamette Meridian in Clatsop County.

CI-7-57	836,120	1,118,264
CI-7-58	835,661	1,118,331
CI-7-59	834,401	1,118,606
CI-7-60	834,031	1,118,861
CI-7-61	833,909	1,119,099
CI-7-61A	834,060	1,119,301
CI-7-61B	833,170	1,119,289
CI-7-61C	832,879	1,119,119
CI-7-62	832,264	1,118,827
CI-7-63	832,218	1,118,765
CI-7-64	832,149	1,118,742
CI-7-65	829,701	1,118,589
CI-7-66	829,700	1,118,517
CI-7-67	829,402	1,118,489
CI-7-68	829,269	1,118,565
CI-7-69	827,556	1,118,329
CI-7-70	827,311	1,118,328
CI-7-71	826,952	1,118,395

Cl-7-72	826,854	1,118,402	Cl-7-112	808,168	1,118,031
Cl-7-73	826,694	1,118,493	Cl-7-112A	808,319	1,117,849
Cl-7-73A	826,041	1,118,595	Cl-7-112B	808,236	1,117,789
Cl-7-74	825,540	1,118,654	Cl-7-112C	808,036	1,117,904
Cl-7-74A	825,033	1,118,704	Cl-7-112D	808,021	1,118,029
Cl-7-75	824,406	1,118,749	Cl-7-113	807,723	1,117,985
Cl-7-75A	823,916	1,118,765	Cl-7-114	807,577	1,118,182
Cl-7-76	823,394	1,118,783	Cl-7-114A	807,492	1,118,167

**Description of Location of Point Number Cl-7-76:** A point near the north boundary of Tolovana Beach State Wayside located in section 31 of township 5 north, range 10 west of the Willamette Meridian in Clatsop County.

Cl-7-77	823,162	1,118,834
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**Description of Location of Point Number Cl-7-77:** A point near the south boundary of Tolovana Beach State Wayside located in section 31 of township 5 north, range 10 west of the Willamette Meridian in Clatsop County.

Cl-7-78	823,122	1,118,777
Cl-7-79	821,713	1,118,737
Cl-7-80	820,798	1,118,662
Cl-7-81	820,616	1,118,628
Cl-7-82	819,990	1,118,570
Cl-7-83	818,487	1,118,346
Cl-7-84	818,253	1,118,281
Cl-7-85	818,178	1,118,235
Cl-7-86	818,148	1,118,247
Cl-7-87	817,898	1,118,169
Cl-7-88	817,684	1,118,011
Cl-7-89	817,465	1,117,948
Cl-7-90	817,171	1,118,071
Cl-7-91	815,636	1,118,331
Cl-7-92	815,260	1,118,392
Cl-7-93	814,848	1,118,435
Cl-7-94	814,409	1,118,513
Cl-7-94A	814,169	1,118,279
Cl-7-95	814,083	1,118,612
Cl-7-96	813,912	1,118,660
Cl-7-97	812,767	1,118,680
Cl-7-98	811,143	1,118,543
Cl-7-99	810,457	1,118,473
Cl-7-100	809,795	1,118,455
Cl-7-101	809,529	1,118,398
Cl-7-102	809,522	1,118,298
Cl-7-103	809,366	1,118,376
Cl-7-104	809,342	1,118,314
Cl-7-105	809,254	1,118,366
Cl-7-106	808,991	1,118,326
Cl-7-107	808,579	1,118,341
Cl-7-108	808,559	1,118,262
Cl-7-109	808,368	1,118,263
Cl-7-110	808,288	1,118,189
Cl-7-111	808,212	1,118,226

**Description of Location of Point Number Cl-7-115:** A point near the north boundary of Hug Point Park located in section 18 of township 4 north, range 10 west of the Willamette Meridian in Clatsop County.

Cl-7-116	806,841	1,118,094
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**Description of Location of Point Number Cl-7-116:** A point near the south boundary of Hug Point Park located near the section line between sections 18 and 19 of township 4 north, range 10 west of the Willamette Meridian in Clatsop County.

Cl-7-117	806,272	1,118,031
Cl-7-118	806,178	1,117,848
Cl-7-118A	806,026	1,117,849
Cl-7-119	805,789	1,118,058
Cl-7-120	805,431	1,117,949
Cl-7-120A	805,367	1,117,779
Cl-7-121	805,296	1,117,776
Cl-7-122	805,158	1,117,930
Cl-7-123	805,092	1,117,892
Cl-7-124	802,212	1,117,559
Cl-7-125	802,079	1,117,577
Cl-7-126	801,380	1,117,374
Cl-7-127	801,289	1,117,358
Cl-7-128	801,274	1,117,370
Cl-7-129	799,987	1,117,070
Cl-7-130	798,430	1,116,632
Cl-7-131	797,966	1,116,576
Cl-7-132	797,940	1,116,740
Cl-7-133	797,778	1,116,650
Cl-7-134	797,699	1,116,278

**Description of Location of Point Number Cl-7-134:** A point at the north end of the headlands at Arch Cape located near the section line between section 25 of township 4 north, range 11 west of the Willamette Meridian and section 30 of township 4 north, range 10 west of the Willamette Meridian in Clatsop County.

Cl-7-135	795,909	1,116,145
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**Description of Location of Point Number CI-7-135:** A point near the south boundary of Oswald West State Park located near the section corner common to sections 25 and 36 of township 4 north, range 11 west of the Willamette Meridian and sections 30 and 31 of township 4 north, range 10 west of the Willamette Meridian in Clatsop County.

CI-7-136	794,385	1,115,979
CI-7-137	793,087	1,115,939
CI-7-138	792,118	1,115,833
CI-7-139	790,613	1,115,650

**Description of Location of Point Number CI-7-139:** A point near the Clatsop-Tillamook county line.

Ti-7-1	790,200	1,115,606
Ti-7-2	789,633	1,115,579
Ti-7-3	789,412	1,115,471

**Description of Location of Point Number Ti-7-3:** A point at the south end of Cove Beach at the north end of the headlands on the north side of Cape Falcon located in section 1 of township 3 north, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-4	788,172	1,114,325
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**Description of Location of Point Number Ti-7-4:** A point on the north side of Cape Falcon located in section 1 of township 3 north, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-4A	787,945	1,114,326
Ti-7-5	787,735	1,114,247
Ti-7-6	787,429	1,113,987

**Description of Location of Point Number Ti-7-6:** A point on the north side of Cape Falcon located in section 1 of township 3 north, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-7	774,737	1,118,436
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**Description of Location of Point Number Ti-7-7:** A point near the south boundary of Oswald West State Park located near the section line between sections 18 and 19 of township 3 north, range 10 west of the Willamette Meridian in Tillamook County.

Ti-7-7A	774,503	1,118,717
Ti-7-8	774,092	1,119,050
Ti-7-8A	773,444	1,119,807
Ti-7-9	773,224	1,120,065
Ti-7-10	772,706	1,120,476
Ti-7-11	771,558	1,121,062
Ti-7-12	770,506	1,121,228
Ti-7-13	769,862	1,121,397

Ti-7-14	766,603	1,121,776
Ti-7-15	764,859	1,121,874
Ti-7-16	763,268	1,121,881
Ti-7-17	762,624	1,121,940
Ti-7-18	761,335	1,121,889

**Description of Location of Point Number Ti-7-18:** A point near the north boundary of Nehalem Bay Park located in section 32 of township 3 north, range 10 west of the Willamette Meridian in Tillamook County.

Ti-7-19	745,172	1,122,047
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**Description of Location of Point Number Ti-7-19:** A point near the south boundary of Nehalem Bay Park near the south end of Nehalem Bay sand spit located in section 17 of township 2 north, range 10 west of the Willamette Meridian in Tillamook County.

Ti-7-19A	743,930	1,122,166
Ti-7-20	743,294	1,121,234
Ti-7-21	742,843	1,120,931
Ti-7-22	742,511	1,120,795
Ti-7-23	737,706	1,120,158
Ti-7-24	737,364	1,120,200
Ti-7-25	737,006	1,120,377
Ti-7-26	736,659	1,120,284
Ti-7-27	736,605	1,120,194
Ti-7-28	736,195	1,119,992
Ti-7-29	735,826	1,119,914
Ti-7-30	732,728	1,119,396
Ti-7-31	730,623	1,119,099
Ti-7-32	729,193	1,118,966
Ti-7-32A	728,795	1,119,058
Ti-7-33	728,495	1,119,026

**Description of Location of Point Number Ti-7-33:** A point near the north boundary of Rockaway State Wayside located in section 32 of township 2 north, range 10 west of the Willamette Meridian in Tillamook County.

Ti-7-34	728,315	1,118,986
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**Description of Location of Point Number Ti-7-34:** A point near the south boundary of Rockaway State Wayside located in section 32 of township 2 north, range 10 west of the Willamette Meridian in Tillamook County.

Ti-7-35	728,102	1,118,837
Ti-7-36	727,685	1,118,765
Ti-7-37	727,585	1,118,689
Ti-7-38	726,959	1,118,586
Ti-7-39	726,532	1,118,711
Ti-7-40	725,838	1,118,610
Ti-7-41	725,699	1,118,588
Ti-7-42	725,611	1,118,578
Ti-7-43	725,148	1,118,201
Ti-7-44	724,087	1,117,923
Ti-7-45	723,843	1,117,852

Ti-7-46	723,687	1,117,804
Ti-7-47	723,393	1,117,689
Ti-7-48	722,609	1,117,479
Ti-7-49	721,882	1,117,853
Ti-7-50	721,363	1,117,492
Ti-7-51	720,771	1,117,726
Ti-7-51A	720,313	1,117,712
Ti-7-52	719,839	1,117,130
Ti-7-53	717,383	1,116,446
Ti-7-54	716,779	1,116,324
Ti-7-55	715,094	1,115,787
Ti-7-56	714,694	1,115,710
Ti-7-57	713,732	1,115,426
Ti-7-58	713,010	1,115,320
Ti-7-59	706,624	1,117,487
Ti-7-60	706,305	1,117,368
Ti-7-61	705,591	1,117,212
Ti-7-62	702,813	1,116,623
Ti-7-63	701,988	1,116,474
Ti-7-64	700,758	1,116,213
Ti-7-65	700,641	1,116,216
Ti-7-66	698,359	1,115,831
Ti-7-67	698,018	1,115,766
Ti-7-68	697,730	1,115,742
Ti-7-69	695,285	1,115,488
Ti-7-70	694,014	1,115,269
Ti-7-71	693,995	1,115,417
Ti-7-72	693,046	1,115,096
Ti-7-73	691,876	1,114,912
Ti-7-74	691,096	1,114,625
Ti-7-75	689,408	1,114,216
Ti-7-76	689,446	1,114,088
Ti-7-77	689,181	1,113,946
Ti-7-78	688,875	1,113,877
Ti-7-78A	688,251	1,113,654
Ti-7-78B	688,240	1,113,576
Ti-7-79	688,088	1,113,584
Ti-7-80	688,103	1,113,499
Ti-7-81	686,504	1,112,939
Ti-7-82	686,060	1,112,666
Ti-7-83	685,568	1,112,260

**Description of Location of Point Number Ti-7-83:** A point near the north end of the headlands on the north side of Cape Meares located in section 7 of township 1 south, range 10 west of the Willamette Meridian in Tillamook County.

Ti-7-84	679,993	1,110,563
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**Description of Location of Point Number Ti-7-84:** A point near the south boundary of Cape Meares Park and near the section line located between sections 13 and 24 of township 1 south, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-85	679,740	1,110,651
Ti-7-86	679,286	1,110,648

Ti-7-87	677,505	1,110,400
Ti-7-88	677,287	1,110,279

**Description of Location of Point Number Ti-7-88:** A point near the north end of the headlands at the south end of Short Beach located in section 24 of township 1 south, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-89	676,698	1,110,158
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**Description of Location of Point Number Ti-7-89:** A point near the south end of the headlands south of Short Beach located in section 24 of township 1 south, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-90	676,630	1,110,189
Ti-7-91	676,425	1,110,168
Ti-7-92	676,188	1,110,063
Ti-7-93	675,777	1,109,741
Ti-7-94	675,643	1,109,518

**Description of Location of Point Number Ti-7-94:** A point near the north end of the headlands on the north side of Maxwell Point located in section 24 of township 1 south, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-95	675,616	1,109,371
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**Description of Location of Point Number Ti-7-95:** A point near the south end of the headlands on the north side of Maxwell Point located in section 24 of township 1 south, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-96	675,441	1,109,359
Ti-7-97	675,010	1,109,250
Ti-7-98	674,787	1,109,383
Ti-7-99	673,979	1,109,562

**Description of Location of Point Number Ti-7-99:** A point near the north end of the first headlands north of Oceanside located in section 25 of township 1 south, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-100	673,842	1,109,669
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**Description of Location of Point Number Ti-7-100:** A point near the south end of the first headlands north of Oceanside located in section 25 of township 1 south, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-101	673,809	1,109,771
Ti-7-102	673,653	1,109,909
Ti-7-103	673,071	1,110,205

Ti-7-104	672,307	1,110,537	Ti-7-145	600,384	1,108,160
Ti-7-105	671,227	1,110,895	Ti-7-146	597,511	1,107,747
Ti-7-106	670,370	1,111,117	Ti-7-147	596,001	1,107,589
Ti-7-107	670,090	1,111,168	Ti-7-148	595,439	1,107,538
Ti-7-108	669,605	1,111,341	Ti-7-149	595,111	1,107,567
Ti-7-109	668,224	1,111,600	Ti-7-150	594,576	1,107,360
Ti-7-110	667,215	1,112,239	Ti-7-151	593,266	1,107,033
Ti-7-111	666,578	1,112,749	Ti-7-152	592,923	1,106,907
Ti-7-112	666,252	1,112,937	Ti-7-153	592,375	1,106,812
Ti-7-112A	665,808	1,113,364	Ti-7-154	592,043	1,106,723
Ti-7-112B	665,466	1,113,850	Ti-7-155	591,495	1,106,642
Ti-7-113	662,710	1,113,335	Ti-7-156	591,069	1,106,555

**Description of Location of Point Number Ti-7-113:** A point near the north end of the Netarts Bay sand spit located in section 6 of township 2 south, range 10 west of the Willamette Meridian in Tillamook County.

Ti-7-114	628,256	1,107,235
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**Description of Location of Point Number Ti-7-114:** A point near the south end of the headlands on the south side of Cape Look-out located in section 1 of township 3 south, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-115	628,048	1,107,599
Ti-7-116	627,769	1,107,736
Ti-7-117	623,918	1,108,889
Ti-7-118	623,459	1,108,997
Ti-7-119	622,032	1,109,287
Ti-7-120	621,511	1,109,345
Ti-7-121	620,938	1,109,441
Ti-7-122	619,547	1,109,539
Ti-7-123	618,468	1,109,563
Ti-7-124	617,144	1,109,557
Ti-7-125	616,033	1,109,533
Ti-7-126	615,652	1,109,506
Ti-7-127	613,316	1,109,441
Ti-7-128	611,375	1,109,312
Ti-7-129	611,076	1,109,287
Ti-7-130	610,497	1,109,309
Ti-7-131	610,236	1,109,255
Ti-7-132	608,446	1,109,185
Ti-7-133	607,963	1,109,235
Ti-7-134	607,726	1,109,270
Ti-7-135	607,570	1,109,326
Ti-7-136	607,363	1,109,441
Ti-7-137	607,271	1,109,574
Ti-7-138	607,215	1,109,756
Ti-7-138A	606,590	1,110,203
Ti-7-138B	605,488	1,110,094
Ti-7-139	605,446	1,109,729
Ti-7-140	605,357	1,109,499
Ti-7-141	604,728	1,108,965
Ti-7-142	603,187	1,108,572
Ti-7-143	601,827	1,108,353
Ti-7-144	601,528	1,108,275

Ti-7-157	590,917	1,106,452
Ti-7-158	590,692	1,106,577
Ti-7-159	589,950	1,106,387
Ti-7-160	589,555	1,106,357
Ti-7-161	589,508	1,106,294
Ti-7-162	588,511	1,106,271
Ti-7-163	588,166	1,106,184
Ti-7-164	587,443	1,105,946
Ti-7-165	586,940	1,105,880
Ti-7-166	586,541	1,105,690
Ti-7-167	586,307	1,105,425
Ti-7-168	586,275	1,105,303

**Description of Location of Point Number Ti-7-168:** A point near the north end of the headlands at Cape Kiwanda located in section 13 of township 4 south, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-169	584,879	1,105,024
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**Description of Location of Point Number Ti-7-169:** A point near the south end of the headlands at Cape Kiwanda located in section 13 of township 4 south, range 11 west of the Willamette Meridian in Tillamook County.

Ti-7-170	584,943	1,105,176
Ti-7-171	584,920	1,105,306
Ti-7-172	584,785	1,105,489
Ti-7-173	584,486	1,105,725
Ti-7-174	584,067	1,105,949
Ti-7-175	583,794	1,106,060
Ti-7-176	582,447	1,106,291
Ti-7-177	581,986	1,106,320
Ti-7-178	580,712	1,106,517
Ti-7-179	579,529	1,106,630
Ti-7-180	578,628	1,106,654
Ti-7-181	577,896	1,106,615
Ti-7-182	577,310	1,106,645
Ti-7-183	576,545	1,106,588

**Description of Location of Point Number Ti-7-183:** A point near the north boundary of the Nestucca Spit Park located in section 25 of township 4 south, range 11 west of the Willamette Meridian in Tillamook County.



spit at the mouth of the Salmon River located in section 23 of township 6 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-4	519,263	1,094,410
Li-7-5	519,133	1,094,540
Li-7-6	518,997	1,094,408
Li-7-7	518,796	1,094,379
Li-7-8	518,587	1,094,221
Li-7-9	518,396	1,093,880
Li-7-10	518,408	1,093,725

**Description of Location of Point Number Li-7-10:** A point near the north end of the headlands northwest of Coon Lake located in section 22 of township 6 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-11	518,136	1,093,626
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**Description of Location of Point Number Li-7-11:** A point near the south end of the headlands northwest of Coon Lake located in section 22 of township 6 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-12	518,059	1,093,671
Li-7-13	517,822	1,093,636
Li-7-14	517,635	1,093,559
Li-7-15	517,461	1,093,343
Li-7-16	517,415	1,093,152
Li-7-17	517,434	1,092,979

**Description of Location of Point Number Li-7-17:** A point near the north end of the headlands north of the Town of Road's End located in section 22 of township 6 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-18	515,292	1,092,596
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**Description of Location of Point Number Li-7-18:** A point near the south end of the headlands north of the Town of Road's End located in section 27 of township 6 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-19	515,261	1,092,731
Li-7-20	515,117	1,092,921
Li-7-21	515,021	1,093,010
Li-7-22	514,830	1,093,127
Li-7-23	514,602	1,093,209
Li-7-24	514,370	1,093,270
Li-7-25	514,191	1,093,279
Li-7-26	513,830	1,093,339
Li-7-27	513,491	1,093,357
Li-7-28	512,314	1,093,322
Li-7-29	512,224	1,093,336
Li-7-30	510,514	1,093,245

Li-7-31	509,812	1,093,179
Li-7-32	509,682	1,093,143
Li-7-33	509,435	1,093,101
Li-7-34	509,375	1,093,122
Li-7-35	509,069	1,093,034
Li-7-36	508,017	1,092,828
Li-7-37	506,696	1,092,542
Li-7-38	504,869	1,092,195
Li-7-39	504,734	1,092,146
Li-7-40	504,400	1,092,088
Li-7-41	504,271	1,092,007
Li-7-42	504,166	1,091,988
Li-7-43	504,008	1,092,005
Li-7-44	503,674	1,091,912
Li-7-45	503,312	1,091,872
Li-7-46	503,204	1,091,869
Li-7-47	502,847	1,091,774
Li-7-48	502,714	1,091,763
Li-7-49	502,386	1,091,756
Li-7-50	502,225	1,091,693
Li-7-51	502,143	1,091,693
Li-7-52	502,088	1,091,657
Li-7-53	501,988	1,091,631
Li-7-54	501,944	1,091,624
Li-7-55	501,722	1,091,592
Li-7-56	501,588	1,091,528
Li-7-57	501,497	1,091,503
Li-7-58	501,390	1,091,497
Li-7-59	501,365	1,091,486
Li-7-60	501,321	1,091,474
Li-7-61	501,298	1,091,463
Li-7-62	500,850	1,091,391
Li-7-63	500,718	1,091,411
Li-7-64	499,879	1,091,274
Li-7-65	499,385	1,091,157
Li-7-66	498,670	1,091,061
Li-7-67	497,823	1,090,866
Li-7-68	497,233	1,090,690
Li-7-69	496,422	1,090,594
Li-7-70	495,945	1,090,488
Li-7-71	494,473	1,090,275
Li-7-72	494,420	1,090,363
Li-7-73	494,284	1,090,309

**Description of Location of Point Number Li-7-73:** A point near the north boundary of D River State Wayside located in section 15 of township 7 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-74	493,843	1,090,125
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**Description of Location of Point Number Li-7-74:** A point near the south boundary of D River State Wayside located in section 15 of township 7 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-75	493,814	1,090,060
Li-7-76	492,402	1,089,616

Li-7-77	491,260	1,089,342
Li-7-78	491,166	1,089,322
Li-7-79	490,870	1,089,247
Li-7-80	489,928	1,089,005
Li-7-81	489,620	1,088,961
Li-7-82	488,669	1,088,949
Li-7-82A	488,637	1,088,889
Li-7-83	488,075	1,088,663
Li-7-84	487,626	1,088,428
Li-7-85	486,116	1,088,374
Li-7-86	485,659	1,088,303
Li-7-87	485,091	1,088,202
Li-7-88	484,395	1,088,116
Li-7-89	484,358	1,088,149
Li-7-90	484,251	1,088,115
Li-7-91	483,284	1,087,949
Li-7-92	482,954	1,087,979
Li-7-93	482,712	1,087,963
Li-7-94	482,628	1,087,904
Li-7-95	482,564	1,088,018
Li-7-96	482,139	1,088,011
Li-7-97	480,591	1,087,794
Li-7-98	480,279	1,087,846
Li-7-98A	480,081	1,087,939
Li-7-98B	479,857	1,088,114
Li-7-98C	479,781	1,088,257
Li-7-98D	479,611	1,088,768
Li-7-98E	478,500	1,088,109
Li-7-99	478,397	1,087,758
Li-7-100	478,143	1,087,509
Li-7-101	476,617	1,086,979
Li-7-102	475,960	1,086,770
Li-7-103	474,682	1,086,574
Li-7-104	472,997	1,086,230
Li-7-104A	471,682	1,085,904
Li-7-105	471,222	1,085,803
Li-7-106	469,714	1,085,429
Li-7-107	468,683	1,085,187
Li-7-108	467,756	1,084,910
Li-7-108A	466,950	1,084,728
Li-7-109	466,375	1,084,556
Li-7-110	465,880	1,084,494
Li-7-111	464,770	1,084,177
Li-7-112	463,989	1,084,045
Li-7-113	463,900	1,084,075
Li-7-114	463,616	1,083,926
Li-7-115	463,441	1,083,928
Li-7-116	462,754	1,083,621
Li-7-117	461,686	1,083,458
Li-7-118	461,447	1,083,355

**Description of Location of Point Number Li-7-118:** A point near the north boundary of Gleneden Beach State Wayside located in section 16 of township 8 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-119	460,819	1,083,224
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**Description of Location of Point Number Li-7-119:** A point near the south boundary of Gleneden Beach State Wayside located in section 16 of township 8 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-120	460,676	1,083,165
Li-7-121	460,619	1,083,189
Li-7-122	460,479	1,083,124
Li-7-123	459,842	1,083,160
Li-7-124	459,810	1,083,056
Li-7-125	459,526	1,082,851
Li-7-126	458,278	1,082,499
Li-7-127	457,957	1,082,503
Li-7-128	457,823	1,082,373
Li-7-129	457,388	1,082,257
Li-7-130	457,345	1,082,264
Li-7-131	456,943	1,082,145
Li-7-132	456,756	1,082,195
Li-7-133	456,730	1,082,131
Li-7-134	456,340	1,081,936
Li-7-135	455,440	1,081,686
Li-7-136	455,234	1,081,688
Li-7-137	455,151	1,081,688
Li-7-138	454,875	1,081,542
Li-7-139	454,469	1,081,462
Li-7-140	454,339	1,081,439
Li-7-141	454,258	1,081,423
Li-7-142	453,718	1,081,178
Li-7-143	453,426	1,081,102
Li-7-144	452,947	1,081,025
Li-7-145	452,852	1,080,925
Li-7-146	451,855	1,080,644
Li-7-147	451,729	1,080,569
Li-7-148	451,344	1,080,438
Li-7-149	451,162	1,080,331
Li-7-150	451,005	1,080,288

**Description of Location of Point Number Li-7-150:** A point near the north boundary of Lincoln Beach State Wayside located in section 28 of township 8 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-151	450,586	1,080,122
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**Description of Location of Point Number Li-7-151:** A point near the south boundary of Lincoln Beach State Wayside located in section 28 of township 8 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-152	450,196	1,079,877
Li-7-153	450,126	1,079,731
Li-7-154	450,167	1,079,513

**Description of Location of Point Number Li-7-154:** A point near the north end of the headlands on the north side of Fishing Rock located in section 29 of township 8 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-155	449,614	1,079,632
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**Description of Location of Point Number Li-7-155:** A point near the south end of the headlands on the south side of Fishing Rock located in section 29 of township 8 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-156	449,234	1,079,367
Li-7-157	448,636	1,079,264
Li-7-158	448,598	1,079,333
Li-7-159	448,314	1,079,308
Li-7-160	448,214	1,079,378
Li-7-161	448,095	1,079,385

**Description of Location of Point Number Li-7-161:** A point near the north boundary of Fogarty Creek State Park located in section 32 of township 8 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-162	447,462	1,079,064
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**Description of Location of Point Number Li-7-162:** A point near the south boundary of Fogarty Creek State Park located in section 32 of township 8 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-163	447,359	1,078,881
Li-7-164	447,289	1,078,862
Li-7-165	447,192	1,078,622

**Description of Location of Point Number Li-7-165:** A point near the north end of the headlands on the north side of Boiler Bay located in section 32 of township 8 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-166	430,584	1,073,460
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**Description of Location of Point Number Li-7-166:** A point near the northwest end of the headlands on the north side of Whale Cove located in section 18 of township 9 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-166A	430,612	1,073,565
Li-7-166B	430,470	1,073,776
Li-7-166C	430,518	1,073,943
Li-7-167	430,432	1,074,035
Li-7-167A	430,274	1,074,000

**Description of Location of Point Number Li-7-167A:** A point near the southeast end of a short sand beach on the northeast side of Whale Cove located in section 17 of township 9 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-168	416,791	1,074,778
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**Description of Location of Point Number Li-7-168:** A point near the south end of the headlands south of Otter Crest located in section 29 of township 9 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-169	416,481	1,074,645
Li-7-170	416,355	1,074,507

**Description of Location of Point Number Li-7-170:** A point near the north end of the headlands north of Devil's Punch Bowl located in section 32 of township 9 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-171	415,895	1,074,529
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**Description of Location of Point Number Li-7-171:** A point near the south end of the headlands north of Devil's Punch Bowl located in section 32 of township 9 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-172	415,863	1,074,660
Li-7-173	415,268	1,074,655
Li-7-174	414,849	1,074,703
Li-7-175	414,615	1,074,584
Li-7-176	414,600	1,074,476

**Description of Location of Point Number Li-7-176:** A point near the north end of the headlands at Otter Rock located in section 32 of township 9 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-177	413,971	1,075,294
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**Description of Location of Point Number Li-7-177:** A point near the south end of the headlands at Otter Rock located in section 32 of township 9 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-178	413,506	1,075,645
Li-7-179	412,961	1,075,950
Li-7-180	412,559	1,076,104
Li-7-181	411,922	1,076,232
Li-7-182	411,277	1,076,281

**Description of Location of Point Number Li-7-182:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 32

of township 9 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-183            398,161            1,074,515

**Description of Location of Point Number Li-7-183:** A point near Moloch Creek located in section 17 of township 10 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-184            397,774            1,074,441  
 Li-7-185            397,597            1,074,358  
 Li-7-186            397,330            1,074,317  
 Li-7-187            397,266            1,074,257  
 Li-7-188            397,004            1,074,240  
 Li-7-189            396,996            1,074,177  
 Li-7-190            396,723            1,074,107  
 Li-7-191            396,479            1,074,084  
 Li-7-192            396,049            1,073,960  
 Li-7-193            396,026            1,073,913  
 Li-7-194            395,585            1,073,817  
 Li-7-195            395,339            1,073,746  
 Li-7-195A          395,290            1,073,652  
 Li-7-195B          395,205            1,073,696  
 Li-7-196            395,015            1,073,632  
 Li-7-197            394,516            1,073,514  
 Li-7-198            394,167            1,073,394  
 Li-7-199            393,827            1,073,198  
 Li-7-200            393,720            1,073,104  
 Li-7-201            393,129            1,073,076  
 Li-7-202            392,896            1,073,021  
 Li-7-203            392,787            1,072,999  
 Li-7-204            392,709            1,072,972  
 Li-7-205            392,212            1,072,892  
 Li-7-206            391,492            1,072,659  
 Li-7-207            391,328            1,072,630  
 Li-7-208            390,819            1,072,450  
 Li-7-209            390,258            1,072,167  
 Li-7-210            390,118            1,072,149  
 Li-7-211            389,984            1,072,013  
 Li-7-212            389,313            1,071,566  
 Li-7-213            389,069            1,071,264  
 Li-7-214            388,955            1,071,051  
 Li-7-215            388,946            1,070,768

**Description of Location of Point Number Li-7-215:** A point near the north end of the headlands on the north side of Yaquina Head located in section 30 of township 10 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-216            387,772            1,073,534

**Description of Location of Point Number Li-7-216:** A point near the southeast end of the headlands on the south side of Yaquina Head located in section 29 of township 10 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-217            387,563            1,073,912  
 Li-7-218            387,386            1,074,085  
 Li-7-219            387,128            1,074,260  
 Li-7-220            386,676            1,074,440  
 Li-7-221            386,012            1,074,651  
 Li-7-222            385,108            1,074,857  
 Li-7-223            384,494            1,074,912  
 Li-7-223A          384,156            1,074,959  
 Li-7-224            383,966            1,075,015  
 Li-7-225            383,702            1,075,148  
 Li-7-226            383,577            1,075,050  
 Li-7-227            383,213            1,074,990  
 Li-7-228            382,719            1,074,996  
 Li-7-229            382,476            1,075,069  
 Li-7-230            382,105            1,075,222  
 Li-7-231            382,036            1,075,230  
 Li-7-232            381,708            1,074,913  
 Li-7-233            381,443            1,074,806  
 Li-7-234            380,262            1,074,523  
 Li-7-235            379,963            1,074,392  
 Li-7-236            379,795            1,074,402  
 Li-7-237            379,148            1,074,225  
 Li-7-238            378,944            1,074,198  
 Li-7-239            378,034            1,074,043  
 Li-7-240            377,914            1,073,941  
 Li-7-241            377,641            1,073,892  
 Li-7-242            377,310            1,073,746  
 Li-7-243            377,291            1,073,577  
 Li-7-243A          377,167            1,073,496  
 Li-7-243B          377,031            1,073,571  
 Li-7-244            376,880            1,073,574  
 Li-7-245            376,584            1,073,490  
 Li-7-246            375,537            1,073,472  
 Li-7-247            375,067            1,073,373  
 Li-7-248            375,072            1,073,290  
 Li-7-249            374,935            1,073,281  
 Li-7-250            374,920            1,073,300  
 Li-7-251            374,783            1,073,293  
 Li-7-252            374,324            1,073,158  
 Li-7-253            374,089            1,073,032  
 Li-7-254            374,016            1,072,856  
 Li-7-255            373,826            1,072,845  
 Li-7-256            373,821            1,072,880  
 Li-7-257            373,184            1,072,824  
 Li-7-258            373,116            1,072,886  
 Li-7-259            372,539            1,072,719  
 Li-7-260            372,411            1,072,706  
 Li-7-261            371,864            1,072,554  
 Li-7-262            371,541            1,072,396  
 Li-7-263            370,453            1,072,227  
 Li-7-264            369,991            1,072,262  
 Li-7-265            369,852            1,072,347  
 Li-7-266            369,368            1,072,602  
 Li-7-266A          368,949            1,073,035  
 Li-7-267            367,806            1,072,273  
 Li-7-268            365,746            1,071,373  
 Li-7-269            365,649            1,071,378

**Description of Location of Point Number Li-7-269:** A point near the south jetty at the entrance to Yaquina Bay located in section 18 of township 11 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-270	360,495	1,071,556
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**Description of Location of Point Number Li-7-270:** A point near the south boundary of the South Newport Park located in section 19 of township 11 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-271	358,777	1,071,368
Li-7-272	357,591	1,071,246
Li-7-273	357,104	1,071,144
Li-7-274	356,080	1,071,008
Li-7-275	355,648	1,071,008
Li-7-276	354,873	1,070,907
Li-7-277	353,593	1,070,800
Li-7-278	353,505	1,070,756
Li-7-279	353,174	1,070,667
Li-7-280	352,967	1,070,584
Li-7-281	352,466	1,070,600
Li-7-282	351,458	1,070,441
Li-7-283	350,947	1,070,421
Li-7-284	350,775	1,070,438
Li-7-285	350,420	1,070,324
Li-7-286	350,027	1,070,278
Li-7-287	349,666	1,070,202
Li-7-288	348,278	1,070,067
Li-7-289	347,871	1,070,120
Li-7-290	347,063	1,069,889
Li-7-291	346,876	1,069,885
Li-7-292	346,841	1,069,757
Li-7-293	346,124	1,069,672

**Description of Location of Point Number Li-7-293:** A point near the north boundary of Lost Creek Park located in section 6 of township 12 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-294	339,166	1,068,589
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**Description of Location of Point Number Li-7-294:** A point near the south boundary of Lost Creek Park located in section 7 of township 12 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-295	337,635	1,068,437
Li-7-295A	337,344	1,068,375
Li-7-296	336,132	1,068,226

**Description of Location of Point Number Li-7-296:** A point near the north boundary of Ona Beach Park located in section 18 of township 12 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-297	333,385	1,068,450
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**Description of Location of Point Number Li-7-297:** A point near the south boundary of Ona Beach Park located in section 18 of township 12 south, range 11 west of the Willamette Meridian in Lincoln County.

Li-7-297A	333,092	1,068,723
Li-7-297B	332,550	1,068,009
Li-7-298	332,261	1,067,861
Li-7-299	331,651	1,067,607
Li-7-300	330,909	1,067,332
Li-7-301	330,212	1,067,169
Li-7-302	329,775	1,067,021
Li-7-303	329,055	1,066,830
Li-7-304	328,374	1,066,629
Li-7-305	327,559	1,066,454
Li-7-306	326,920	1,066,268
Li-7-307	326,218	1,066,154
Li-7-308	325,986	1,066,159
Li-7-309	325,483	1,066,088
Li-7-310	325,302	1,065,997
Li-7-311	324,853	1,065,953
Li-7-312	324,539	1,065,816
Li-7-313	324,277	1,065,641
Li-7-314	323,667	1,065,529

**Description of Location of Point Number Li-7-314:** A point near the north boundary of Seal Rock Wayside located in section 25 of township 12 south, range 12 west of the Willamette Meridian in Lincoln County.

Li-7-315	322,726	1,065,519
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**Description of Location of Point Number Li-7-315:** A point near the south boundary of Seal Rock Wayside located in section 25 of township 12 south, range 12 west of the Willamette Meridian in Lincoln County.

Li-7-316	322,532	1,065,529
Li-7-317	322,312	1,065,480
Li-7-318	321,532	1,065,461
Li-7-319	321,414	1,065,298
Li-7-320	321,226	1,065,448
Li-7-321	320,971	1,065,448
Li-7-321A	320,492	1,065,294
Li-7-322	320,154	1,065,308
Li-7-323	319,976	1,065,381
Li-7-324	319,830	1,065,333
Li-7-325	319,653	1,065,141

**Description of Location of Point Number Li-7-325:** A point near the north end of the headlands north of Squaw Creek located in section 36 of township 12 south, range 12 west of the Willamette Meridian in Lincoln County.

Li-7-326	319,285	1,065,020
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**Description of Location of Point Number Li-7-326:** A point near the south end of the headlands, north of Squaw Creek located in section 36 of township 12 south, range 12 west of the Willamette Meridian in Lincoln County.

Li-7-327	319,254	1,065,127
Li-7-328	319,017	1,065,300
Li-7-329	318,684	1,065,368
Li-7-330	318,039	1,065,567
Li-7-331	317,962	1,065,616
Li-7-332	317,553	1,065,733
Li-7-333	316,986	1,065,786
Li-7-334	316,190	1,065,631
Li-7-335	315,455	1,065,643
Li-7-336	313,346	1,065,757
Li-7-337	312,115	1,065,744
Li-7-338	310,799	1,065,676
Li-7-339	310,624	1,065,655
Li-7-340	307,274	1,065,368
Li-7-341	306,081	1,065,272
Li-7-342	303,876	1,065,014
Li-7-342A	302,717	1,064,861
Li-7-343	302,009	1,064,789
Li-7-344	300,597	1,064,626
Li-7-344A	299,559	1,064,546
Li-7-345	298,873	1,064,546
Li-7-346	298,361	1,064,661
Li-7-347	297,708	1,064,983
Li-7-348	297,499	1,065,264
Li-7-349	297,441	1,065,520
Li-7-350	297,481	1,065,745
Li-7-351	295,474	1,065,819
Li-7-352	295,365	1,065,659
Li-7-353	295,135	1,065,187
Li-7-354	294,851	1,064,836
Li-7-355	294,333	1,064,433
Li-7-356	293,843	1,064,235
Li-7-357	293,610	1,064,140

**Description of Location of Point Number Li-7-357:** A point near the north boundary of Governor Patterson Memorial Park located in section 25 of township 13 south, range 12 west of the Willamette Meridian in Lincoln County.

Li-7-358	289,703	1,063,527
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**Description of Location of Point Number Li-7-358:** A point near the south boundary of Governor Patterson Memorial Park located in section 25 of township 13 south, range 12 west of the Willamette Meridian in Lincoln County.

Li-7-359	289,041	1,063,368
Li-7-360	288,797	1,063,355
Li-7-361	288,639	1,063,301
Li-7-362	288,337	1,063,295

Li-7-363	288,294	1,063,262
Li-7-364	287,261	1,063,041
Li-7-365	286,718	1,062,961
Li-7-366	286,312	1,062,836
Li-7-367	286,113	1,062,831
Li-7-368	286,084	1,062,893
Li-7-369	285,824	1,062,895
Li-7-370	285,212	1,062,781
Li-7-371	285,027	1,062,709
Li-7-372	284,609	1,062,608
Li-7-373	284,253	1,062,595
Li-7-374	283,650	1,062,426
Li-7-375	283,530	1,062,418
Li-7-376	283,344	1,062,332
Li-7-377	283,033	1,062,340

**Description of Location of Point Number Li-7-377:** A point near the north boundary of Beachside State Park located in section 2 of township 14 south, range 12 west of the Willamette Meridian in Lincoln County.

Li-7-378	280,579	1,062,025
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**Description of Location of Point Number Li-7-378:** A point near the south boundary of Beachside State Park located in section 2 of township 14 south, range 12 west of the Willamette Meridian in Lincoln County.

Li-7-379	280,316	1,061,896
Li-7-380	280,153	1,061,959
Li-7-381	279,897	1,062,221
Li-7-382	279,810	1,062,238
Li-7-383	279,471	1,062,184
Li-7-384	279,189	1,062,025
Li-7-385	279,000	1,061,989
Li-7-386	278,590	1,061,901
Li-7-387	278,530	1,061,890
Li-7-388	278,422	1,061,867
Li-7-389	278,397	1,061,861
Li-7-390	277,667	1,061,718
Li-7-391	277,519	1,061,667
Li-7-392	277,394	1,061,450
Li-7-393	277,109	1,061,300
Li-7-394	276,930	1,061,241
Li-7-395	276,633	1,061,214
Li-7-396	276,485	1,061,088
Li-7-396A	275,876	1,061,042
Li-7-397	275,149	1,060,896
Li-7-398	274,953	1,060,869
Li-7-399	274,824	1,060,797
Li-7-400	274,004	1,060,607
Li-7-401	273,342	1,060,521
Li-7-402	273,123	1,060,462
Li-7-403	272,973	1,060,462
Li-7-403A	272,878	1,060,433
Li-7-403B	272,896	1,060,393
Li-7-403C	272,820	1,060,374
Li-7-403D	272,830	1,060,421

Li-7-404	272,651	1,060,364
Li-7-405	272,426	1,060,299
Li-7-406	272,203	1,060,283
Li-7-407	272,128	1,060,234
Li-7-408	271,948	1,060,204
Li-7-409	271,876	1,060,227
Li-7-410	271,776	1,060,205
Li-7-411	271,517	1,060,175
Li-7-412	271,384	1,060,219
Li-7-413	271,248	1,060,129
Li-7-414	271,079	1,060,107
Li-7-415	270,975	1,060,035
Li-7-416	270,235	1,059,912
Li-7-417	270,078	1,059,800
Li-7-418	269,654	1,059,845
Li-7-418A	269,628	1,059,780
Li-7-418B	269,456	1,059,849
Li-7-419	269,109	1,059,861
Li-7-420	268,340	1,059,611
Li-7-421	268,199	1,059,621
Li-7-422	267,680	1,059,493
Li-7-423	266,984	1,059,424
Li-7-424	266,886	1,059,446
Li-7-424A	266,752	1,059,348
Li-7-425	266,663	1,059,404
Li-7-426	266,507	1,059,260
Li-7-427	266,377	1,059,159
Li-7-428	266,168	1,059,124
Li-7-429	265,966	1,059,257
Li-7-430	265,666	1,059,094
Li-7-430A	265,602	1,058,965
Li-7-431	265,475	1,058,904
Li-7-432	264,325	1,058,737
Li-7-433	263,983	1,058,615
Li-7-434	263,577	1,058,506
Li-7-435	263,465	1,058,519
Li-7-436	263,387	1,058,531
Li-7-437	263,394	1,058,454
Li-7-438	262,996	1,058,341
Li-7-439	262,881	1,058,246

**Description of Location of Point Number Li-7-439:** A point near the north end of the headlands north of Yachats Park and near the section line located between sections 22 and 23 of township 14 south, range 12 west of the Willamette Meridian in Lincoln County.

Point Number	Oregon Coordinate System south zone	
	y-coordinate	x-coordinate
La-7-1	960,236	1,053,478

**Description of Location of Point Number La-7-1:** A point near the south end of the headlands on the south side of Gwynn Knoll located in section 22 of township 15 south, range 12 west of the Willamette Meridian in Lane County.

La-7-2	960,110	1,053,668
La-7-3	960,163	1,053,738
La-7-4	960,041	1,053,854
La-7-5	959,932	1,053,768
La-7-6	959,694	1,053,879
La-7-7	959,392	1,053,887
La-7-8	959,274	1,053,935
La-7-9	959,124	1,053,946

**Description of Location of Point Number La-7-9:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 22 of township 15 south, range 12 west of the Willamette Meridian in Lane County.

La-7-10	956,771	1,054,162
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**Description of Location of Point Number La-7-10:** A point near the south boundary of property owned through the Oregon Department of Transportation located in section 27 of township 15 south, range 12 west of the Willamette Meridian in Lane County.

La-7-11	955,775	1,054,039
La-7-12	955,642	1,053,985
La-7-13	955,236	1,053,955
La-7-14	954,367	1,053,807
La-7-15	954,094	1,053,672
La-7-16	953,534	1,053,686
La-7-17	953,374	1,053,714
La-7-18	953,268	1,053,882
La-7-19	953,186	1,053,909

**Description of Location of Point Number La-7-19:** A point near the north boundary of the Rockwood Beach State Wayside located in section 27 of township 15 south, range 12 west of the Willamette Meridian in Lane County.

La-7-20	952,030	1,053,601
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**Description of Location of Point Number La-7-20:** A point near the south boundary of Rockwood Beach State Wayside near the section line located between section 27 and section 34 of township 15 south, range 12 west of the Willamette Meridian in Lane County.

La-7-21	951,780	1,053,530
La-7-22	951,633	1,053,395
La-7-23	951,613	1,053,308
La-7-24	951,555	1,053,229
La-7-25	951,461	1,053,170
La-7-26	951,160	1,053,170
La-7-27	950,892	1,053,104
La-7-28	950,751	1,053,055
La-7-29	950,531	1,052,931
La-7-30	950,352	1,052,890
La-7-31	949,988	1,052,937
La-7-32	949,786	1,052,942

La-7-33	949,469	1,052,898
La-7-34	949,213	1,052,750
La-7-35	949,177	1,052,806
La-7-36	949,010	1,052,702
La-7-37	949,004	1,052,837
La-7-38	948,807	1,052,897
La-7-38A	948,218	1,052,893
La-7-38B	948,227	1,052,797
La-7-38C	948,170	1,052,794
La-7-38D	948,159	1,052,893
La-7-39	948,074	1,052,893
La-7-39A	947,907	1,052,830
La-7-40	947,752	1,052,816
La-7-41	947,671	1,052,860
La-7-42	947,129	1,052,773
La-7-43	946,916	1,052,690
La-7-44	946,756	1,052,589

**Description of Location of Point Number La-7-44:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 3 of township 16 south, range 12 west of the Willamette Meridian in Lane County.

La-7-45	943,990	1,052,518
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**Description of Location of Point Number La-7-45:** A point near the south boundary of property owned through the Oregon Department of Transportation located in section 3 of township 16 south, range 12 west of the Willamette Meridian in Lane County.

La-7-46	943,939	1,052,486
La-7-47	943,813	1,052,591
La-7-48	943,783	1,052,519
La-7-49	943,676	1,052,511
La-7-50	943,595	1,052,712
La-7-51	943,120	1,052,702
La-7-52	942,217	1,052,612
La-7-53	942,188	1,052,505
La-7-54	942,111	1,052,558
La-7-55	941,981	1,052,486
La-7-56	941,899	1,052,578
La-7-57	941,798	1,052,469
La-7-58	941,715	1,052,447
La-7-59	941,651	1,052,520
La-7-60	941,460	1,052,477
La-7-61	940,890	1,052,398
La-7-62	940,849	1,052,347
La-7-63	940,664	1,052,338
La-7-63A	940,377	1,052,331
La-7-63B	940,382	1,052,276
La-7-63C	940,284	1,052,268
La-7-63D	940,276	1,052,323
La-7-64	940,181	1,052,312
La-7-65	939,875	1,052,279
La-7-66	939,480	1,052,244
La-7-67	939,027	1,052,218

La-7-68	938,916	1,052,176
La-7-69	938,856	1,052,086
La-7-70	938,884	1,052,005
La-7-71	938,716	1,051,863
La-7-72	938,638	1,051,843

**Description of Location of Point Number La-7-72:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 10 of township 16 south, range 12 west of the Willamette Meridian in Lane County.

La-7-73	937,638	1,051,964
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**Description of Location of Point Number La-7-73:** A point near the south boundary of property owned through the Oregon Department of Transportation located in section 15 of township 16 south, range 12 west of the Willamette Meridian in Lane County.

La-7-74	937,203	1,051,900
La-7-75	937,051	1,051,863
La-7-76	936,879	1,051,895
La-7-77	935,785	1,051,799
La-7-78	935,426	1,051,813
La-7-79	935,075	1,052,056
La-7-80	934,880	1,052,081
La-7-81	934,647	1,052,020
La-7-82	934,455	1,051,950
La-7-83	934,615	1,051,784
La-7-84	934,604	1,051,729
La-7-85	934,316	1,051,650
La-7-86	933,430	1,051,561
La-7-87	933,065	1,051,551

**Description of Location of Point Number La-7-87:** A point near the north boundary of Muriel O. Ponsler Memorial Wayside near the section line located between section 15 and section 22 of township 16 south, range 12 west of the Willamette Meridian in Lane County.

La-7-88	909,858	1,048,853
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**Description of Location of Point Number La-7-88:** A point near the south end of the headlands south of Sea Lion Point located in section 10 of township 17 south, range 12 west of the Willamette Meridian in Lane County.

La-7-89	909,719	1,048,996
La-7-90	909,664	1,048,883
La-7-91	909,526	1,048,892
La-7-91A	909,413	1,048,940
La-7-91B	909,303	1,048,919
La-7-91C	909,322	1,048,991
La-7-92	909,257	1,049,026
La-7-93	909,074	1,049,036
La-7-94	907,411	1,048,835
La-7-95	907,100	1,048,756
La-7-96	906,424	1,048,703

La-7-97	905,548	1,048,854	La-7-149	865,019	1,042,725
La-7-97A	905,279	1,048,958	La-7-150	864,002	1,042,561
La-7-98	905,035	1,048,753	La-7-151	862,115	1,042,273
La-7-99	904,794	1,048,582	La-7-152	861,496	1,042,182
La-7-100	904,606	1,048,539	La-7-153	860,271	1,042,026
La-7-101	903,666	1,048,343	La-7-154	858,490	1,041,748
La-7-102	902,600	1,048,245	La-7-155	857,800	1,041,633
La-7-103	900,865	1,047,986	La-7-156	856,103	1,041,383
La-7-104	900,172	1,048,219	La-7-157	855,358	1,041,303
La-7-105	900,135	1,048,025	La-7-158	854,148	1,041,117
La-7-106	898,793	1,047,704	La-7-159	851,830	1,040,768
La-7-107	896,883	1,047,391	La-7-160	851,635	1,040,748
La-7-108	895,796	1,047,214	La-7-161	851,199	1,040,880
La-7-109	895,503	1,047,145	La-7-162	851,021	1,040,865
La-7-110	894,613	1,046,918	La-7-163	850,800	1,040,648
La-7-111	893,579	1,046,676	La-7-164	850,355	1,040,527
La-7-112	892,821	1,046,624	La-7-164A	849,124	1,040,339
La-7-113	892,155	1,046,581	La-7-165	848,907	1,040,274
La-7-114	891,073	1,046,419	La-7-166	848,749	1,040,273
La-7-115	890,910	1,046,252	La-7-167	846,808	1,039,954
La-7-116	890,458	1,046,195	La-7-168	846,243	1,039,937
La-7-117	890,028	1,046,095	La-7-169	845,809	1,040,006
La-7-118	888,538	1,045,834	La-7-170	845,602	1,039,776
La-7-119	888,055	1,045,774	La-7-171	844,723	1,039,621
La-7-120	887,644	1,045,690	La-7-172	843,639	1,039,444
La-7-121	887,261	1,045,648	La-7-173	842,820	1,039,311
La-7-122	886,717	1,045,523	La-7-174	842,031	1,039,177
La-7-123	886,285	1,045,460	La-7-175	841,270	1,039,078
La-7-124	885,473	1,045,302	La-7-176	840,452	1,038,871
La-7-125	885,268	1,045,288	La-7-176A	840,031	1,038,859
La-7-126	884,851	1,045,219	La-7-177	839,240	1,038,737
La-7-127	884,298	1,045,109	La-7-178	838,171	1,038,563
La-7-128	883,971	1,045,099	La-7-179	837,525	1,038,441
La-7-129	883,618	1,044,947	La-7-179A	836,715	1,038,307
La-7-130	882,889	1,044,796	La-7-180	835,043	1,038,003
La-7-131	881,414	1,044,485	La-7-181	834,753	1,037,958
La-7-132	880,567	1,044,279	La-7-182	833,479	1,037,720
La-7-133	880,258	1,044,200	La-7-183	832,528	1,037,580
La-7-134	879,601	1,044,022	La-7-184	831,085	1,037,370
La-7-135	879,061	1,043,864	La-7-185	829,836	1,037,172
La-7-136	877,970	1,043,710	La-7-186	828,519	1,037,020

**Description of Location of Point Number La-7-136:** A point near the north jetty of the mouth of the Siuslaw River.

La-7-137	876,020	1,044,784
La-7-138	875,946	1,044,582
La-7-139	875,798	1,044,454
La-7-140	875,347	1,044,280
La-7-141	874,460	1,044,140
La-7-142	873,380	1,044,014
La-7-143	871,882	1,043,709
La-7-144	870,976	1,043,613
La-7-145	869,960	1,043,487
La-7-146	868,997	1,043,351
La-7-146A	868,331	1,043,221
La-7-147	867,514	1,043,108
La-7-148	866,180	1,042,880

La-8-187	828,149	1,037,039
La-8-188	828,028	1,037,333
La-8-189	827,347	1,038,019
La-8-190	827,070	1,037,974
La-8-191	826,655	1,037,788
La-8-191A	825,980	1,037,568
La-8-192	825,744	1,036,688
La-8-193	824,767	1,036,500
La-8-194	823,832	1,036,281
La-8-195	823,335	1,036,182
La-8-196	822,001	1,035,914
Do-8-1	821,695	1,035,859

**Description of Location of Point Number Do-8-1:** A point near the Lane-Douglas County line located in section 5 of township 20 south, range 12 west of the Willamette Merid-

ian in Lane and Douglas Counties.

Do-8-2	820,707	1,035,660	Do-8-55	770,024	1,025,340
Do-8-3	818,732	1,035,340	Do-8-56	768,746	1,025,005
Do-8-4	817,872	1,035,166	Do-8-57	766,998	1,024,590
Do-8-5	817,052	1,035,024	Do-8-58	766,108	1,024,358
Do-8-6	816,253	1,034,884	Do-8-59	765,636	1,024,230
Do-8-7	815,512	1,034,746	Do-8-60	763,627	1,023,692
Do-8-8	814,959	1,034,666	Do-8-61	762,742	1,023,429
Do-8-9	813,504	1,034,423	Do-8-62	761,684	1,023,139
Do-8-10	812,595	1,034,229	Do-8-63	758,957	1,022,333
Do-8-11	811,225	1,033,996	Do-8-64	758,469	1,022,210
Do-8-12	810,555	1,033,850	Do-8-65	758,121	1,022,053
Do-8-13	810,122	1,033,783	Do-8-66	757,279	1,021,800
Do-8-14	808,867	1,033,554	Do-8-67	757,020	1,021,839
Do-8-15	807,868	1,033,385	Do-8-68	756,836	1,021,696
Do-8-16	807,337	1,033,283	Do-8-69	755,763	1,021,249
Do-8-17	806,927	1,033,221	Do-8-70	755,026	1,021,008
Do-8-18	806,152	1,033,077	Do-8-71	754,298	1,020,903
Do-8-19	805,778	1,032,988	Do-8-72	753,767	1,020,697
Do-8-20	804,851	1,032,861	Do-8-73	753,439	1,020,545
Do-8-21	804,260	1,032,873	Do-8-74	752,951	1,020,747
Do-8-22	803,681	1,032,658	Do-8-75	751,017	1,020,655
Do-8-23	803,506	1,032,786	Do-8-75A	750,243	1,021,078
Do-8-23A	802,770	1,033,337	Do-8-76	749,488	1,020,210
Do-8-23B	802,137	1,033,220	Do-8-77	748,443	1,019,383
Do-8-23C	801,728	1,032,555	Do-8-78	747,158	1,019,192
Do-8-24	801,155	1,032,391			
Do-8-25	801,044	1,032,207			
Do-8-26	800,846	1,032,132			
Do-8-27	799,332	1,031,776			
Do-8-28	798,240	1,031,548			
Do-8-29	796,771	1,031,277			
Do-8-30	795,799	1,031,068	Do-8-79	730,871	1,016,121
Do-8-31	793,989	1,030,720			
Do-8-32	793,169	1,030,524			
Do-8-33	792,296	1,030,361			
Do-8-34	791,423	1,030,178			
Do-8-35	790,919	1,030,056			
Do-8-36	789,882	1,029,848			
Do-8-37	788,423	1,029,555			
Do-8-38	787,010	1,029,259			
Do-8-39	784,545	1,028,739			
Do-8-40	784,212	1,028,670	Co-8-1	729,664	1,015,856
Do-8-41	782,268	1,028,202	Co-8-2	728,936	1,015,655
Do-8-42	781,537	1,028,084	Co-8-3	728,728	1,015,623
Do-8-43	780,887	1,027,942	Co-8-4	727,826	1,015,377
Do-8-44	780,531	1,028,022	Co-8-5	727,278	1,015,258
Do-8-45	779,988	1,028,136	Co-8-6	724,915	1,014,674
Do-8-46	778,886	1,027,543	Co-8-7	724,626	1,014,580
Do-8-47	777,876	1,027,263	Co-8-8	723,853	1,014,368
Do-8-48	777,208	1,027,140	Co-8-9	722,394	1,014,019
Do-8-49	774,943	1,026,545	Co-8-10	721,343	1,013,724
Do-8-50	774,246	1,026,386	Co-8-11	721,060	1,013,669
Do-8-51	773,335	1,026,124	Co-8-12	719,776	1,013,295
Do-8-52	772,554	1,025,924	Co-8-13	717,976	1,012,819
Do-8-52A	772,330	1,025,872	Co-8-14	715,485	1,012,136
Do-8-53	771,860	1,025,808	Co-8-15	714,775	1,011,970
Do-8-54	771,055	1,025,594	Co-8-16	713,885	1,011,759

**Description of Location of Point Number Do-8-78:** A point near the north boundary of Umpqua Lighthouse State Park located in section 14 of township 22 south, range 13 west of the Willamette Meridian in Douglas County.

**Description of Location of Point Number Do-8-79:** A point near the Douglas-Coos County line located near the south line of section 35 of township 22 south, range 13 west of the Willamette Meridian in Douglas County and near the north line of section 2 of township 23 south, range 13 west of the Willamette Meridian in Coos County.



Co-7-104	633,149	970,563
Co-7-105	633,202	970,551
Co-7-106	633,180	970,465
Co-7-107	633,184	970,383
Co-7-108	633,262	970,330
Co-7-109	633,209	970,234
Co-7-110	633,279	970,284
Co-7-111	633,340	970,280

**Description of Location of Point Number Co-7-111:** A point near the southeast end of the headlands on the east side of Gregory Point located in section 4 of township 26 south, range 14 west of the Willamette Meridian in Coos County.

Co-7-112	608,676	966,967
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**Description of Location of Point Number Co-7-112:** A point near the headlands at the north end of Sacchi Beach located in section 32 of township 26 south, range 14 west of the Willamette Meridian in Coos County.

Co-7-113	608,553	967,076
Co-7-114	608,289	967,090
Co-7-115	608,179	967,050
Co-7-116	607,903	967,103
Co-7-117	607,628	966,995
Co-7-118	607,410	966,934
Co-7-119	606,877	966,722
Co-7-120	606,760	966,652
Co-7-121	606,645	966,613
Co-7-122	606,027	966,290
Co-7-123	605,748	966,226
Co-7-124	605,182	966,033
Co-7-125	604,655	965,906
Co-7-126	604,515	965,555
Co-7-127	603,978	965,298
Co-7-128	603,724	965,369
Co-7-129	603,649	965,469
Co-7-130	603,508	965,465
Co-7-131	603,389	965,537
Co-7-132	603,221	965,503
Co-7-133	602,888	965,575
Co-7-134	602,650	965,425
Co-7-135	602,087	965,206
Co-7-136	601,893	965,185
Co-7-137	601,186	964,997
Co-7-138	601,067	964,893
Co-7-139	601,021	964,797
Co-7-140	600,922	964,740
Co-7-141	600,470	964,612
Co-7-142	600,455	964,661
Co-7-142A	600,071	964,652
Co-7-142B	599,897	964,617
Co-7-143	599,738	964,644
Co-7-144	598,717	964,387
Co-7-145	597,922	964,202
Co-7-146	596,609	963,901

**Description of Location of Point Number Co-7-146:** A point near the north boundary of Seven Devils Ocean Wayside located in section 17 of township 27 south, range 14 west of the Willamette Meridian in Coos County.

Co-7-147	595,213	963,487
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**Description of Location of Point Number Co-7-147:** A point near the south boundary of Seven Devils Ocean Wayside located in section 17 of township 27 south, range 14 west of the Willamette Meridian in Coos County.

Co-7-148	594,314	963,289
Co-7-149	594,046	963,201
Co-7-150	593,895	963,182
Co-7-151	593,779	963,097
Co-7-152	593,565	963,103
Co-7-153	593,028	962,935
Co-7-154	592,633	962,887
Co-7-155	591,719	962,643
Co-7-156	590,974	962,354
Co-7-157	590,518	962,076
Co-7-158	590,387	961,812
Co-7-159	590,082	962,020
Co-7-160	589,739	962,163
Co-7-161	589,390	962,214
Co-7-162	589,181	962,122
Co-7-163	589,030	962,216
Co-7-164	588,994	962,326
Co-7-165	588,874	962,430
Co-7-166	588,522	962,518
Co-7-167	587,762	962,569
Co-7-168	587,311	962,505
Co-7-169	586,932	962,514
Co-7-170	584,508	962,011
Co-7-171	584,006	961,931
Co-7-172	583,067	961,700
Co-7-173	581,949	961,437
Co-7-174	581,179	961,231
Co-7-175	580,403	961,047
Co-7-176	577,758	960,367
Co-7-177	577,356	960,253
Co-7-178	576,745	960,026

**Description of Location of Point Number Co-7-178:** A point near the north boundary of Bullards Beach State Park located near the section line between section 31 of township 27 south, range 14 west of the Willamette Meridian and section 6 of township 28 south, range 14 west of the Willamette Meridian in Coos County.

Co-7-179	555,762	952,779
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**Description of Location of Point Number Co-7-179:** A point near the north jetty at the mouth of the Coquille River located in section 25 of township 28 south, range 15 west

of the Willamette Meridian in Coos County.

Co-7-180	555,175	951,991
Co-7-181	554,780	951,830
Co-7-182	553,788	951,192
Co-7-183	553,471	950,888
Co-7-184	553,041	950,429
Co-7-185	552,360	949,847
Co-7-186	552,218	949,659
Co-7-187	552,103	949,891
Co-7-188	551,837	950,159
Co-7-189	551,431	950,406
Co-7-190	551,116	950,464
Co-7-191	550,861	950,457
Co-7-192	550,604	950,437
Co-7-193	550,337	950,321
Co-7-194	550,057	950,249
Co-7-195	549,837	950,092
Co-7-196	549,618	950,060
Co-7-197	549,516	949,955
Co-7-198	549,384	949,927
Co-7-199	549,282	949,968
Co-7-200	549,124	949,939

**Description of Location of Point Number Co-7-200:** A point near the north boundary of Bandon Ocean Wayside located near the section line between section 35 and section 36 of township 28 south, range 15 west of the Willamette Meridian in Coos County.

Co-7-201	548,632	950,177
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**Description of Location of Point Number Co-7-201:** A point near the south boundary of Bandon Ocean Wayside located in section 36 of township 28 south, range 15 west of the Willamette Meridian in Coos County.

Co-7-202	548,492	950,207
Co-7-203	548,380	950,151
Co-7-204	548,264	950,206
Co-7-205	548,254	950,325
Co-7-206	548,186	950,339
Co-7-207	548,009	950,528
Co-7-208	547,406	950,729
Co-7-209	547,161	950,718
Co-7-210	546,508	950,752
Co-7-211	546,006	950,673
Co-7-212	545,859	950,712
Co-7-213	545,715	950,683
Co-7-214	545,628	950,615
Co-7-215	545,217	950,577
Co-7-216	545,023	950,598
Co-7-216A	544,709	950,664
Co-7-217	544,548	950,878
Co-7-218	544,373	950,554
Co-7-219	543,977	950,255
Co-7-220	543,175	949,972
Co-7-221	542,945	949,972
Co-7-222	542,866	949,909

Co-7-223	542,547	949,822
Co-7-224	542,416	949,831
Co-7-225	542,342	949,615
Co-7-226	542,282	949,710
Co-7-227	541,931	949,649
Co-7-228	541,758	949,563
Co-7-229	541,677	949,554

**Description of Location of Point Number Co-7-229:** A point near the north boundary of Bandon State Park located near the section line between section 1 and section 2 of township 29 south, range 15 west of the Willamette Meridian in Coos County.

Co-7-230	520,295	944,832
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**Description of Location of Point Number Co-7-230:** A point near the south boundary of Bandon State Park located in section 26 of township 29 south, range 15 west of the Willamette Meridian in Coos County.

Co-7-231	519,372	944,584
Co-7-232	519,139	944,554
Co-7-233	518,732	944,354
Co-7-234	518,351	944,228
Co-7-235	517,872	944,106
Co-7-236	517,379	944,081
Co-7-237	517,197	944,024
Co-7-238	516,932	943,828
Co-7-239	516,537	943,820
Co-7-240	516,140	943,566
Co-7-241	515,878	943,482
Co-7-242	514,876	943,184
Co-7-243	513,787	943,654
Co-7-244	513,009	943,264
Co-7-245	512,191	942,822
Co-7-246	510,958	942,457
Co-7-247	510,505	942,237
Co-7-248	509,957	942,116
Co-7-249	509,541	942,146
Co-7-250	508,792	941,921
Co-7-251	508,381	941,799
Co-7-252	507,732	941,713
Co-7-253	506,891	941,505
Co-7-253A	506,462	941,413
Co-7-253B	506,246	941,247
Co-7-254	505,354	940,985
Co-7-255	504,775	940,629
Co-7-256	504,290	940,429
Co-7-257	503,786	940,333
Co-7-257A	502,977	940,049
Co-7-257B	502,502	939,827
Co-7-257C	501,568	939,701
Co-7-258	500,604	939,306
Co-7-258A	500,169	939,262
Co-7-258B	498,906	938,349
Co-7-258C	497,858	937,804
Co-7-259	497,372	937,629

Co-7-259A	496,995	937,388
Co-7-259B	496,704	937,274
Co-7-260	495,258	936,546
Co-7-260A	494,866	936,458
Co-7-261	494,435	936,200

**Description of Location of Point Number Co-7-261:** A point near the Coos-Curry County line located near the section line between section 21 of township 30 south, range 15 west of the Willamette Meridian in Coos County and section 28 of township 30 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-1	494,269	936,197
Cu-7-1A	492,997	935,582
Cu-7-1B	492,724	935,524
Cu-7-1C	492,161	935,220
Cu-7-1D	491,652	935,056
Cu-7-2	491,102	934,739
Cu-7-3	490,807	934,692
Cu-7-3A	489,619	933,791
Cu-7-4	488,165	933,379
Cu-7-4A	487,538	933,092
Cu-7-5	486,942	932,870
Cu-7-6	486,037	932,272
Cu-7-6A	485,602	932,037
Cu-7-7	485,134	931,874
Cu-7-8	483,852	931,217
Cu-7-9	483,031	930,687
Cu-7-10	482,079	930,304
Cu-7-11	481,624	930,048
Cu-7-12	481,116	929,839
Cu-7-13	480,954	929,721
Cu-7-14	480,886	929,576
Cu-7-15	480,564	929,341
Cu-7-16	480,217	928,860
Cu-7-17	480,122	928,700
Cu-7-18	479,910	928,435
Cu-7-19	479,060	927,987
Cu-7-20	477,708	927,259
Cu-7-21	477,184	926,960
Cu-7-22	476,933	926,833
Cu-7-23	476,453	926,519
Cu-7-24	475,128	925,801
Cu-7-25	474,536	925,461

**Description of Location of Point Number Cu-7-25:** A point near the north boundary of Floras Lake State Park located near the section line between section 7 and section 18 of township 31 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-26	460,789	918,140
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**Description of Location of Point Number Cu-7-26:** A point near the south boundary of Floras Lake State Park located in section 25 of township 31 south, range 16 west of the

Willamette Meridian in Curry County.

Cu-7-27	459,979	917,628
Cu-7-27A	459,587	917,079
Cu-7-28	458,933	917,257
Cu-7-28A	458,345	916,603
Cu-7-29	458,318	916,281
Cu-7-30	457,743	916,020
Cu-7-31	457,243	915,713
Cu-7-32	456,847	915,413
Cu-7-33	456,546	915,235
Cu-7-34	455,650	914,957
Cu-7-35	455,367	914,795
Cu-7-36	454,864	914,510
Cu-7-37	454,408	914,160
Cu-7-38	454,311	914,127
Cu-7-39	454,138	913,983
Cu-7-40	453,926	913,695
Cu-7-41	453,771	913,579
Cu-7-42	453,663	913,416
Cu-7-43	453,523	913,219
Cu-7-44	453,473	913,101
Cu-7-45	453,421	912,999
Cu-7-46	453,397	912,848
Cu-7-47	453,307	912,762
Cu-7-48	453,310	912,692
Cu-7-49	453,253	912,591
Cu-7-50	453,180	912,165
Cu-7-51	453,152	911,780
Cu-7-52	453,254	911,495
Cu-7-53	453,326	911,275
Cu-7-54	453,460	911,156

**Description of Location of Point Number Cu-7-54:** A point near the east end of the headlands on the northeast side of Cape Blanco located in section 2 of township 32 south, range 16 west of the Willamette Meridian in Curry County.

Cu-7-55	452,117	910,664
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**Description of Location of Point Number Cu-7-55:** A point near the east end of the headlands on the southeast side of Cape Blanco located in section 2 of township 32 south, range 16 west of the Willamette Meridian in Curry County.

Cu-7-56	452,107	910,814
Cu-7-57	452,002	911,078
Cu-7-58	451,734	911,201
Cu-7-59	451,988	911,384
Cu-7-60	452,030	911,494
Cu-7-61	452,015	911,644
Cu-7-62	451,734	912,301
Cu-7-63	451,615	912,450
Cu-7-64	451,576	912,565
Cu-7-65	451,492	912,683
Cu-7-66	451,264	912,951
Cu-7-67	450,946	913,303



Cu-7-166	417,693	928,354
Cu-7-167	417,677	928,529

**Description of Location of Point Number Cu-7-167:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 4 of township 33 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-167A	415,194	932,338
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**Description of Location of Point Number Cu-7-167A:** A point near the south boundary of property owned through the Oregon Department of Transportation and near Hubbard Creek located in section 9 of township 33 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-167B	414,837	932,459
Cu-7-167C	414,465	932,723
Cu-7-167D	414,393	932,841
Cu-7-167E	414,074	933,166

**Description of Location of Point Number Cu-7-167E:** A point near the north boundary of property owned through the Oregon Department of Transportation located near the section line between section 9 and section 10 of township 33 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-168	387,665	946,358
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**Description of Location of Point Number Cu-7-168:** A point near the south end of the headlands at Humbug Mountain located in section 1 of township 34 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-169	387,513	946,975
Cu-7-170	387,317	947,324
Cu-7-171	386,789	947,744
Cu-7-172	386,635	947,941
Cu-7-173	386,522	947,888
Cu-7-174	385,894	948,151

**Description of Location of Point Number Cu-7-174:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 6 of township 34 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-175	372,047	950,729
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**Description of Location of Point Number Cu-7-175:** A point near the south end of the first headlands south of Lookout Rock located in section 19 of township 34 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-176	372,002	950,847
Cu-7-177	371,704	951,058
Cu-7-178	371,593	951,098
Cu-7-179	371,013	951,190
Cu-7-180	371,011	951,243
Cu-7-181	370,627	951,250
Cu-7-182	370,015	951,386
Cu-7-182A	369,639	951,391
Cu-7-183	369,389	951,143
Cu-7-184	369,322	951,076
Cu-7-185	368,854	950,922
Cu-7-186	368,488	950,650
Cu-7-187	368,297	950,580
Cu-7-188	367,647	950,767
Cu-7-189	366,689	950,737
Cu-7-190	366,317	950,658
Cu-7-191	366,138	950,541
Cu-7-192	365,769	950,590
Cu-7-193	365,508	950,586
Cu-7-194	365,101	950,335
Cu-7-195	364,751	950,302
Cu-7-196	364,387	950,403

**Description of Location of Point Number Cu-7-196:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 30 of township 34 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-197	362,813	950,030
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**Description of Location of Point Number Cu-7-197:** A point near the south boundary of property owned through the Oregon Department of Transportation located in section 31 of township 34 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-198	362,702	949,975
Cu-7-199	362,664	949,867
Cu-7-200	362,399	949,498
Cu-7-201	362,444	949,369

**Description of Location of Point Number Cu-7-201:** A point near the north end of the headlands at Sisters Rocks located in section 31 of township 34 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-202	361,997	949,593
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**Description of Location of Point Number Cu-7-202:** A point near the east end of the headlands on the south side of Sisters Rocks located in section 31 of township 34 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-203	362,121	949,727
Cu-7-204	362,173	949,869
Cu-7-205	362,160	949,970
Cu-7-206	361,999	950,165

Cu-7-207	361,969	950,430	Cu-7-231	351,862	952,627
Cu-7-208	361,510	950,798	Cu-7-232	351,477	952,632
Cu-7-209	361,292	950,853	Cu-7-232A	350,538	952,721
Cu-7-210	361,122	950,953	Cu-7-232B	349,420	952,752
Cu-7-211	360,606	951,087	Cu-7-233	349,083	952,680
Cu-7-212	360,459	951,114	Cu-7-234	348,478	952,367
Cu-7-213	360,517	951,183	Cu-7-234A	348,283	952,216
Cu-7-214	360,450	951,314	Cu-7-234B	348,268	952,170
Cu-7-215	360,134	951,451	Cu-7-234C	348,210	952,173
Cu-7-216	360,012	951,442	Cu-7-234D	348,060	952,066
Cu-7-217	359,587	951,452	Cu-7-235	348,028	951,988
Cu-7-218	359,368	951,721	Cu-7-235A	347,971	951,987
Cu-7-219	359,145	951,794	Cu-7-235B	347,787	951,883
			Cu-7-235C	347,785	951,844
			Cu-7-235D	347,741	951,853
			Cu-7-236	347,644	951,774

**Description of Location of Point Number Cu-7-219:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 32 of township 34 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-220	357,690	952,165
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**Description of Location of Point Number Cu-7-220:** A point near the south boundary of property owned through the Oregon Department of Transportation located in section 5 of township 35 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-221	357,476	952,176
Cu-7-221A	357,111	952,003
Cu-7-221B	356,695	951,879
Cu-7-222	356,625	951,808
Cu-7-222A	356,493	951,585
Cu-7-222B	356,263	951,649
Cu-7-222C	356,323	951,775
Cu-7-223	356,455	951,847
Cu-7-224	356,487	952,018
Cu-7-225	356,391	952,207

**Description of Location of Point Number Cu-7-225:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 5 of township 35 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-226	354,226	952,943
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**Description of Location of Point Number Cu-7-226:** A point near the south boundary of property owned through the Oregon Department of Transportation located in section 5 of township 35 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-226A	353,863	952,893
Cu-7-226B	353,626	952,933
Cu-7-227	353,146	952,852
Cu-7-228	353,058	952,718
Cu-7-229	352,840	952,706
Cu-7-230	352,633	952,769

**Description of Location of Point Number Cu-7-236:** A point near the north boundary of property owned through the Oregon Department of Transportation and located near the section line between section 8 and section 17 of township 35 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-237	333,550	946,491
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**Description of Location of Point Number Cu-7-237:** A point near the south boundary of property owned through the Oregon Department of Transportation located in section 30 of township 35 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-237A	333,494	946,351
Cu-7-238	333,300	946,191
Cu-7-239	332,866	946,032
Cu-7-240	332,566	945,795
Cu-7-241	332,146	945,613
Cu-7-242	331,983	945,634
Cu-7-243	331,576	945,411
Cu-7-244	331,475	945,311
Cu-7-245	330,699	944,933
Cu-7-246	330,397	944,802
Cu-7-247	330,267	944,738
Cu-7-248	330,042	944,681
Cu-7-249	329,435	944,417
Cu-7-250	329,020	944,195
Cu-7-251	328,553	943,911
Cu-7-252	328,291	943,737
Cu-7-253	328,223	943,648
Cu-7-254	327,927	943,419
Cu-7-255	327,780	943,235
Cu-7-256	327,620	943,178
Cu-7-257	327,429	943,048
Cu-7-258	327,406	942,965

**Description of Location of Point Number Cu-7-258:** A point near the north end of the first headlands south of Nesika Beach located in section 36 of township 35 south,

range 15 west of the Willamette Meridian in Curry County.

Cu-7-259	327,129	943,003
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**Description of Location of Point Number Cu-7-259:** A point near the south end of the first headlands south of Nesika Beach located in section 36 of township 35 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-260	327,142	943,114
Cu-7-261	327,108	943,217
Cu-7-262	326,970	943,331
Cu-7-263	326,722	943,382
Cu-7-264	326,467	943,198
Cu-7-265	326,241	943,072
Cu-7-266	325,990	943,172
Cu-7-267	325,794	943,124
Cu-7-268	325,798	943,026

**Description of Location of Point Number Cu-7-268:** A point near the north end of the headlands west of Geisel Monument State Park located in section 1 of township 36 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-269	325,323	943,307
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**Description of Location of Point Number Cu-7-269:** A point near the south end of the headlands west of Geisel Monument State Park located in section 1 of township 36 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-270	325,296	943,418
Cu-7-271	325,230	943,486
Cu-7-272	324,897	943,617
Cu-7-273	324,613	943,583
Cu-7-274	323,664	943,235
Cu-7-275	323,431	943,126
Cu-7-276	322,581	942,873
Cu-7-277	322,427	942,803
Cu-7-278	322,251	942,654
Cu-7-279	322,155	942,643
Cu-7-280	321,834	942,541
Cu-7-281	321,401	942,493
Cu-7-282	321,303	942,516
Cu-7-283	321,162	942,457
Cu-7-284	320,966	942,548
Cu-7-285	320,879	942,553
Cu-7-286	320,735	942,469
Cu-7-287	320,662	942,356
Cu-7-288	320,706	942,189

**Description of Location of Point Number Cu-7-288:** A point near the north end of the headlands on the north side of Hubbard Mound located in section 12 of township 36

south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-289	319,993	942,104
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**Description of Location of Point Number Cu-7-289:** A point near the south end of the headlands on the south side of Hubbard Mound located in section 12 of township 36 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-290	319,969	942,269
Cu-7-291	319,871	942,369
Cu-7-292	319,716	942,455
Cu-7-293	319,658	942,530
Cu-7-294	319,339	942,693
Cu-7-295	318,872	942,734
Cu-7-296	318,543	942,722
Cu-7-297	318,142	942,591
Cu-7-298	318,097	942,673
Cu-7-299	317,962	942,733
Cu-7-300	317,655	942,687
Cu-7-301	317,489	942,581
Cu-7-302	317,207	942,446
Cu-7-303	317,083	942,404
Cu-7-304	316,624	942,415
Cu-7-305	316,508	942,342
Cu-7-306	316,249	942,464
Cu-7-307	316,067	942,452
Cu-7-308	315,770	942,318
Cu-7-309	315,502	942,118
Cu-7-310	315,456	942,061

**Description of Location of Point Number Cu-7-310:** A point near the north end of the headlands on the north side of Otter Point located in section 13 of township 36 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-311	314,647	942,005
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**Description of Location of Point Number Cu-7-311:** A point near the south end of the headlands on the south side of Otter Point located in section 13 of township 36 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-312	314,646	942,186
Cu-7-313	314,446	942,420
Cu-7-314	314,281	942,516

**Description of Location of Point Number Cu-7-314:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 13 of township 36 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-315	311,671	941,575
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**Description of Location of Point Number Cu-7-315:** A point near the south boundary of property owned through the Oregon Department of Transportation located in section 13 of township 36 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-316	311,148	941,107
Cu-7-317	310,653	940,806
Cu-7-318	310,462	940,576
Cu-7-319	309,914	940,219
Cu-7-320	309,762	940,223
Cu-7-321	309,704	940,033
Cu-7-322	309,061	939,705
Cu-7-323	308,802	939,615
Cu-7-324	308,759	939,502
Cu-7-325	308,405	939,278
Cu-7-326	307,772	938,993
Cu-7-327	307,297	938,681
Cu-7-328	306,432	938,442
Cu-7-329	305,981	938,395
Cu-7-330	305,681	938,412
Cu-7-331	303,769	938,681
Cu-7-332	303,158	938,841
Cu-7-333	301,995	939,029
Cu-7-334	301,380	939,121
Cu-7-335	300,895	939,188
Cu-7-336	300,624	939,280
Cu-7-337	299,561	940,144
Cu-7-338	299,278	940,253
Cu-7-339	298,493	940,355
Cu-7-340	298,023	940,373
Cu-7-341	297,112	940,531
Cu-7-342	296,463	940,567
Cu-7-343	296,190	940,557
Cu-7-344	295,912	940,563
Cu-7-345	295,542	940,675
Cu-7-346	295,184	940,661
Cu-7-347	294,436	940,637
Cu-7-348	293,721	940,721
Cu-7-349	293,103	940,677
Cu-7-350	292,924	940,726
Cu-7-351	292,754	940,655
Cu-7-352	292,555	940,699
Cu-7-353	292,331	940,649
Cu-7-354	291,538	940,671
Cu-7-355	290,969	940,618
Cu-7-356	290,488	940,639
Cu-7-357	289,821	940,602
Cu-7-358	289,127	940,603
Cu-7-359	288,874	940,656
Cu-7-360	288,782	940,825
Cu-7-361	288,451	940,821
Cu-7-362	288,296	940,866
Cu-7-363	287,858	940,876

**Description of Location of Point Number Cu-7-363:** A point near the north boundary of property owned through the Oregon

Department of Transportation located in section 12 of township 37 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-364	283,800	940,465
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**Description of Location of Point Number Cu-7-364:** A point near the south boundary of Buena Vista Ocean Wayside located in section 13 of township 37 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-365	282,516	940,370
Cu-7-366	282,438	940,462
Cu-7-367	282,176	940,320
Cu-7-368	282,064	940,292
Cu-7-369	281,788	940,445
Cu-7-370	281,665	940,291
Cu-7-371	281,395	940,250
Cu-7-372	281,221	940,363
Cu-7-373	281,096	940,249
Cu-7-374	280,653	940,150
Cu-7-375	280,355	940,255
Cu-7-376	280,226	940,089
Cu-7-377	279,929	940,062
Cu-7-378	279,622	940,290
Cu-7-379	279,513	940,014
Cu-7-380	279,232	939,978
Cu-7-381	278,950	940,192
Cu-7-382	278,891	940,095

**Description of Location of Point Number Cu-7-382:** A point near the north boundary of Cape Sebastian State Park located in section 24 of township 37 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-383	274,342	939,579
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**Description of Location of Point Number Cu-7-383:** A point near the south boundary of Cape Sebastian State Park located in section 25 of township 37 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-384	273,523	939,403
Cu-7-385	273,238	939,357
Cu-7-386	272,272	939,252
Cu-7-387	271,793	939,200
Cu-7-388	271,676	939,279
Cu-7-389	271,153	939,118
Cu-7-390	270,856	939,215
Cu-7-391	270,695	939,168
Cu-7-392	270,576	939,067
Cu-7-393	270,530	938,848

**Description of Location of Point Number Cu-7-393:** A point near the north end of the headlands on the north side of Cape Sebastian located in section 25 of township 37 south, range 15 west of the Willamette Meridian in Curry County.

Cu-7-394	252,193	943,857
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**Description of Location of Point Number Cu-7-394:** A point near the south boundary of Pistol River State Park located in the north half of section 18 of township 38 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-395	251,337	943,988
Cu-7-396	250,834	943,982
Cu-7-397	250,150	943,917
Cu-7-398	249,456	943,857
Cu-7-399	249,221	943,848
Cu-7-400	248,941	943,837

**Description of Location of Point Number Cu-7-400:** A point near the north boundary of Pistol River State Park located in the south half of section 18 of township 38 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-401	237,990	941,097
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**Description of Location of Point Number Cu-7-401:** A point near the east end of the headlands on the southeast side of Crook Point located in section 30 of township 38 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-402	238,002	941,155
Cu-7-403	237,911	941,355
Cu-7-404	237,763	941,532
Cu-7-405	237,760	941,572
Cu-7-406	237,668	941,620
Cu-7-407	237,678	941,691
Cu-7-408	237,443	941,869
Cu-7-409	237,132	942,050
Cu-7-410	237,039	942,168
Cu-7-411	236,964	942,398
Cu-7-412	236,877	942,491
Cu-7-413	236,760	942,718
Cu-7-414	236,379	942,999
Cu-7-415	236,173	943,040
Cu-7-416	236,194	943,117
Cu-7-417	236,080	943,272
Cu-7-418	235,875	943,438
Cu-7-419	235,756	943,434
Cu-7-420	235,362	943,676
Cu-7-421	235,067	943,889
Cu-7-422	234,713	944,091
Cu-7-423	234,438	944,109
Cu-7-424	234,202	944,131
Cu-7-425	233,875	944,273
Cu-7-426	233,767	944,603
Cu-7-426A	233,796	944,765
Cu-7-427	233,751	944,956
Cu-7-428	233,658	945,132
Cu-7-429	233,426	945,412
Cu-7-430	233,190	945,531
Cu-7-431	232,977	945,586

Cu-7-432	232,849	945,773
Cu-7-433	232,791	945,872
Cu-7-434	232,500	946,110
Cu-7-435	232,162	946,219
Cu-7-436	231,955	946,251
Cu-7-437	231,935	946,363
Cu-7-438	231,796	946,495
Cu-7-439	231,567	946,582
Cu-7-440	231,481	946,552

**Description of Location of Point Number Cu-7-440:** A point near the north end of the headlands north of Burnt Hill Creek located in section 5 of township 39 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-441	230,977	947,008
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**Description of Location of Point Number Cu-7-441:** A point near the south end of the headlands north of Burnt Hill Creek located in section 5 of township 39 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-442	231,019	947,130
Cu-7-443	230,972	947,316
Cu-7-444	230,895	947,402
Cu-7-445	230,752	947,520
Cu-7-446	230,697	947,583
Cu-7-447	230,628	947,614
Cu-7-448	230,477	947,633
Cu-7-449	230,135	947,791
Cu-7-450	229,994	947,781
Cu-7-451	229,919	947,725

**Description of Location of Point Number Cu-7-451:** A point near the north end of the headlands near the north boundary of Samuel H. Boardman State Park located in section 5 of township 39 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-452	177,049	960,075
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**Description of Location of Point Number Cu-7-452:** A point near the south end of the headlands near the south boundary of Samuel H. Boardman State Park located in section 26 of township 40 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-453	176,938	960,255
Cu-7-454	176,778	960,301
Cu-7-455	176,776	960,437
Cu-7-456	176,688	960,619
Cu-7-457	176,723	960,706
Cu-7-457A	176,616	960,798
Cu-7-458	176,725	960,970
Cu-7-459	176,621	961,227

**Description of Location of Point Number Cu-7-459:** A point near the north boundary of property owned through the Oregon Department of Transportation located in section 26 of township 40 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-460	175,617	962,284
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**Description of Location of Point Number Cu-7-460:** A point near the south boundary of property owned through the Oregon Department of Transportation located in section 26 of township 40 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-461	175,336	962,456
Cu-7-462	175,076	962,452
Cu-7-463	174,992	962,337
Cu-7-464	174,936	962,390
Cu-7-465	174,996	962,494
Cu-7-466	174,970	962,593
Cu-7-467	174,815	962,691
Cu-7-468	174,652	962,717
Cu-7-469	174,604	962,765
Cu-7-470	174,344	962,837
Cu-7-470A	174,254	962,835
Cu-7-471	174,119	962,857
Cu-7-472	173,877	963,022
Cu-7-473	173,421	963,236
Cu-7-474	173,343	963,406
Cu-7-475	172,855	963,444
Cu-7-476	172,833	963,492
Cu-7-477	172,571	963,517
Cu-7-478	172,417	963,455
Cu-7-479	172,156	963,399
Cu-7-480	171,905	963,355
Cu-7-481	171,841	963,486
Cu-7-482	171,808	963,616
Cu-7-483	171,692	963,608
Cu-7-484	171,548	963,525
Cu-7-485	171,508	963,583
Cu-7-486	171,466	963,796
Cu-7-487	171,338	963,936
Cu-7-488	171,006	963,958
Cu-7-489	170,889	964,062
Cu-7-490	170,615	964,243
Cu-7-490A	170,488	964,371
Cu-7-490B	170,355	964,425
Cu-7-490C	170,244	964,513
Cu-7-491	170,247	964,622
Cu-7-492	170,159	964,671
Cu-7-493	170,070	964,634

**Description of Location of Point Number Cu-7-493:** A point near the north boundary of Harris Beach State Park located in section 36 of township 40 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-494	167,853	967,675
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**Description of Location of Point Number Cu-7-494:** A point near the south boundary of Harris Beach State Park located in section 1 of township 41 south, range 14 west of the Willamette Meridian in Curry County.

Cu-7-495	167,343	967,740
Cu-7-496	167,165	967,873
Cu-7-497	167,182	968,104
Cu-7-498	167,085	968,102
Cu-7-499	166,970	967,980
Cu-7-500	166,890	968,034
Cu-7-501	166,964	968,161
Cu-7-502	166,670	968,413
Cu-7-503	166,255	968,316
Cu-7-504	166,208	968,417
Cu-7-505	166,058	968,514
Cu-7-506	165,819	968,568
Cu-7-507	165,408	968,579
Cu-7-508	165,297	968,503
Cu-7-509	165,316	968,399
Cu-7-510	165,020	968,444
Cu-7-511	165,071	968,490
Cu-7-512	165,053	968,567
Cu-7-513	164,962	968,643

**Description of Location of Point Number Cu-7-513:** A point at the north end of the headlands just west of Hub Street in the City of Brookings located in section 6 of township 41 south, range 13 west of the Willamette Meridian in Curry County.

Cu-7-514	164,204	968,716
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**Description of Location of Point Number Cu-7-514:** A point near the south end of the headlands just west of Iris Street in the City of Brookings located in section 6 of township 41 south, range 13 west of the Willamette Meridian in Curry County.

Cu-7-515	164,065	968,790
Cu-7-516	163,964	968,738

**Description of Location of Point Number Cu-7-516:** A point near the north end of the headlands west of Collis Lane in the City of Brookings located in section 6 of township 41 south, range 13 west of the Willamette Meridian in Curry County.

Cu-7-517	163,616	969,413
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**Description of Location of Point Number Cu-7-517:** A point near the south end of the first headlands north of Chetco Point located in section 6 of township 41 south, range 13 west of the Willamette Meridian in Curry County.

Cu-7-518	163,660	969,483
Cu-7-519	163,496	969,623
Cu-7-520	163,239	969,733

Cu-7-521	163,141	969,816
Cu-7-522	162,930	969,884
Cu-7-523	162,846	970,003
Cu-7-524	162,822	970,636
Cu-7-525	162,636	971,054
Cu-7-526	162,516	971,217
Cu-7-527	162,288	971,353
Cu-7-528	162,091	971,398
Cu-7-529	161,990	971,371
Cu-7-530	161,846	971,291
Cu-7-531	161,802	971,399
Cu-7-532	161,639	971,433
Cu-7-533	161,413	971,424
Cu-7-534	161,267	971,363
Cu-7-535	161,253	971,316
Cu-7-536	161,058	971,038
Cu-7-537	161,032	970,945
Cu-7-538	161,085	970,906

**Description of Location of Point Number Cu-7-538:** A point near the east end of the headlands on the north side of Chetco Point located in section 7 of township 41 south, range 13 west of the Willamette Meridian in Curry County.

Cu-7-539	160,835	970,993
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**Description of Location of Point Number Cu-7-539:** A point near the southeast end of the headlands on the south side of Chetco Point located in section 7 of township 41 south, range 13 west of the Willamette Meridian in Curry County.

Cu-7-540	160,877	970,982
Cu-7-541	160,984	971,113
Cu-7-542	161,056	971,337
Cu-7-543	161,327	971,526
Cu-7-544	161,346	971,624
Cu-7-545	161,442	971,619
Cu-7-546	161,543	971,869
Cu-7-547	161,541	972,098
Cu-7-548	161,476	972,284
Cu-7-549	161,427	972,320
Cu-7-550	161,528	972,418
Cu-7-551	161,698	972,784
Cu-7-552	161,633	973,055
Cu-7-553	161,548	973,154
Cu-7-554	161,282	973,278
Cu-7-555	161,127	973,267
Cu-7-556	161,104	973,227
Cu-7-557	161,116	973,168

**Description of Location of Point Number Cu-7-557:** A point near the north end of the headlands on the north side of Chetco Cove located in section 7 of township 41 south, range 13 west of the Willamette Meridian in Curry County.

Cu-7-558	161,504	974,502
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**Description of Location of Point Number Cu-7-558:** A point near the east end of the headlands on the north side of Chetco Cove located in section 8 of township 41 south, range 13 west of the Willamette Meridian in Curry County.

Cu-7-559	161,529	974,635
Cu-7-560	161,544	974,866
Cu-7-561	161,649	975,127
Cu-7-562	161,562	975,508
Cu-7-563	161,508	975,746
Cu-7-564	161,526	975,953
Cu-7-565	161,433	976,127
Cu-7-566	160,379	977,263
Cu-7-567	160,031	977,584
Cu-7-568	159,387	978,208
Cu-7-569	158,715	978,406
Cu-7-570	158,434	978,624
Cu-7-571	158,159	978,719
Cu-7-572	158,032	978,847
Cu-7-573	157,479	978,988
Cu-7-574	157,462	979,134
Cu-7-575	157,198	979,298
Cu-7-576	156,876	979,630
Cu-7-577	156,780	979,674
Cu-7-578	156,637	980,008
Cu-7-579	156,570	979,994
Cu-7-580	156,547	980,077
Cu-7-581	155,833	980,413
Cu-7-582	155,518	980,627
Cu-7-583	155,145	980,715
Cu-7-584	155,047	980,689
Cu-7-585	155,067	980,612
Cu-7-586	154,825	980,572
Cu-7-587	154,813	980,617
Cu-7-588	154,921	980,757
Cu-7-589	154,852	980,881
Cu-7-590	154,945	980,926
Cu-7-591	154,890	981,077
Cu-7-592	154,457	981,657
Cu-7-593	154,205	981,833
Cu-7-594	153,898	982,094
Cu-7-595	154,197	982,374
Cu-7-596	154,187	982,498
Cu-7-597	153,956	982,999
Cu-7-598	153,474	983,252
Cu-7-599	153,305	983,531
Cu-7-600	153,286	983,807
Cu-7-601	153,013	984,447
Cu-7-602	152,765	984,652
Cu-7-603	152,662	984,708
Cu-7-604	152,633	984,751
Cu-7-605	151,850	985,113
Cu-7-606	151,497	985,195
Cu-7-607	151,277	985,196
Cu-7-608	150,861	985,540

Cu-7-609	150,632	985,569
Cu-7-610	150,504	985,688
Cu-7-611	150,030	986,310
Cu-7-612	149,534	986,461
Cu-7-613	149,266	986,445
Cu-7-614	149,132	986,537
Cu-7-615	149,047	986,629
Cu-7-616	149,098	986,767
Cu-7-617	148,936	986,896
Cu-7-618	148,797	986,890
Cu-7-619	149,033	987,119
Cu-7-620	149,030	987,307
Cu-7-621	148,949	987,399
Cu-7-622	147,977	988,656
Cu-7-623	147,740	989,001
Cu-7-624	147,212	989,610
Cu-7-625	146,900	989,883
Cu-7-626	146,614	990,134
Cu-7-626A	146,463	990,180
Cu-7-627	146,242	990,362
Cu-7-627A	146,106	990,481
Cu-7-628	146,007	990,676
Cu-7-628A	146,030	990,783
Cu-7-629	146,181	990,926
Cu-7-629A	146,439	991,778
Cu-7-629B	145,626	992,092
Cu-7-629C	145,317	991,861
Cu-7-630	145,288	991,314
Cu-7-631	145,176	991,095
Cu-7-632	144,723	991,295
Cu-7-633	143,886	991,657
Cu-7-634	143,339	991,832

**Description of Location of Point Number Cu-7-634:** A point near the Oregon-California Boundary and near the line located between section 26 of township 41 south, range 13 west of the Willamette Meridian in Curry County, Oregon, and section 32 of township 19 north, range 1 west of the Humboldt Meridian in Del Norte County, California.

[1969 c 601 §8]

### WINTER RECREATION PARKING

**390.775 Winter recreation parking locations to be designated by transportation commission.** As used in ORS 390.775 to 390.795, 481.805 and 484.250, winter recreation parking location means those areas designated by the Oregon Transportation Commission. The commission may identify access roads to winter recreation facilities, roadside plow-outs and other areas as winter recreation parking locations. [1977 c 263 §1]

**390.780 Winter Recreation Advisory Committee; members; meetings.** (1) There is created in the Department of Transportation a Winter Recreation Advisory Committee consisting of seven members to be appointed by the Oregon Transportation Commission to advise the commission regarding the removal of snow from winter recreation parking locations in this state. The committee shall consist of:

(a) Two persons representing ski area operators;

(b) One person representing the Pacific Northwest Ski Association;

(c) One member representing the Oregon Nordic Council;

(d) One member representing the Oregon State Snowmobile Association; and

(e) Two members from the general public interested in winter recreation in this state.

(2) Members of the advisory committee shall not receive compensation and expenses for their service on the committee.

(3) The members shall be appointed to serve for terms of two years each, except the members first appointed. The terms of the first appointed members shall be fixed so that the terms of three of the members shall commence on July 1, 1977, and expire in one year and the terms of the four remaining members shall commence on July 1, 1977, and expire in two years. Vacancies on the committee shall be filled by appointment by the commission for the unexpired term.

(4) The committee shall meet regularly four times a year, at times and places fixed by the chairman of the committee. The committee may meet at other times specified by the chairman or a majority of the members of the committee. The Department of Transportation shall provide assistance and space for meetings as requested by the chairman of the committee. The committee shall adopt rules to govern its proceedings and shall select a chairman and any other officers it considers necessary. [1977 c.263 §2]

**390.785 Parking locations to be snow-plowed; priorities.** (1) The commission shall, after consultation with the committee and land management agencies managing adjacent lands, designate winter recreation parking locations throughout the state. The commission shall also, after consultation with the committee, establish priorities for plowing the designated parking locations.

(2) The Highway Division shall provide for the removal of snow accumulating on winter recreation parking locations designated by the commission according to the priorities established by the commission.

(3) The Highway Division shall remove snow from or contract with other persons for the removal of snow from winter recreation parking locations. If the division contracts with others for the removal of snow payments under such contracts shall be made from funds collected under ORS 390.790. [1977 c.263 §3; 1979 c.819 §1]

**390.790 Parking permits; exemptions; fees; fine; enforcement.** (1) Except as provided in this section, no person shall, from November 15 of any year to April 30 of the next year, park a vehicle in a winter recreation parking location designated by the commission unless the vehicle displays a parking permit issued by the Motor Vehicles Division.

(2) No parking permit shall be required under this section for:

(a) A vehicle owned and operated by the United States, another state or a political subdivision thereof;

(b) A vehicle owned and operated by this state or by any city, district or political subdivision thereof; or

(c) A vehicle owned by a resident of another state if the vehicle displays a winter area parking permit similar to the parking permit established by this section that is issued in accordance with the laws of the state in which its owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state for vehicles displaying a parking permit as established by this section.

(3) The fee for the issuance of the parking permits shall be:

(a) No more than \$2 for permits that shall be valid for a period of one day; or

(b) No more than \$10 for permits that shall be valid for a period of one year, beginning each November.

(4) The permits shall be transferable from vehicle to vehicle. The Oregon Transportation Commission shall set the fee for issuance of a parking permit by rule. The commission shall consider recommendations of the Winter Recreation Advisory Committee in setting the fees.

(5) A person who violates any provision of this section commits a violation of a motor vehicle parking law punishable by a fine of \$10. Unless the police officer issuing the citation witnesses the parking of the vehicle, a rebuttable presumption exists that a vehicle parked in violation of this section was parked by the registered owner of the vehicle. If the parking of the vehicle is witnessed by the police officer, the operator of the vehicle is in violation of this section.

(6) The commission may, with the advice of the committee, enter into agreements with county or municipal law enforcement agencies or individual police officers, as defined in ORS 484.010, for the enforcement of the provisions of ORS 390.775 to 390.795. [1977 c.263 §4; 1979 c.819 §2]

**390.792 Rules of division; snowmobile permit holders exempt from parking permit fee.** (1) To carry out the purposes of ORS 390.790, the Motor Vehicles Division shall adopt rules, pursuant to ORS 183.310 to 183.500, prescribing:

(a) The type of permit;

(b) The manner in which the permit is to be issued;

(c) Those parties who shall be eligible to issue the permit;

(d) The manner of displaying the permit on a vehicle;

(e) Any additional charge that the division determines may be collected and retained by issuers other than the division for permit issuance service;

(f) Procedures for issuance of permits by persons other than the division; and

(g) The method for issuance of permits to snowmobile owners under subsection (3) of this section.

(2) The division may establish procedures to provide or require bonds for persons issuing permits other than the division. The division may pay the cost of any bond required by the division.

(3) All snowmobile owners licensed under ORS 481.770 to 481.810 shall receive a parking permit under ORS 390.790 at no cost in addition to the snowmobile license fee established in ORS 481.785. [1979 c.819 §4]

**390.795 Use of funds received under ORS 390.790.** Of the money collected by the Motor Vehicles Division under ORS 390.790:

(1) The Motor Vehicles Division shall retain an amount necessary to cover expenses incurred in the administration of ORS 390.790.

(2) The remainder shall be transferred to the State Highway Fund within 30 days after the end of the quarter to be expended only for the purposes of enforcing ORS 390.775 to 390.795, 481.805 and 484.250 and removing snow from winter recreation parking locations designated by the commission pursuant to ORS 390.785.

(3) If any funds remain after snow is removed from designated parking locations, the funds may be used by the commission, with the advice of the advisory committee, for the development of additional winter recreation parking locations in this state. [1977 c.263 §5]

### SCENIC WATERWAYS

**390.805 Definitions for ORS 390.805 to 390.925.** As used in ORS 390.805 to 390.925, unless the context requires otherwise:

(1) "Department" means the Department of Transportation.

(2) "Scenic waterway" means a river or segment of river that has been designated as such in accordance with ORS 390.805 to 390.925 or any subsequent Act, and includes related adjacent land.

(3) "Related adjacent land" means all land within one-fourth of one mile of the bank on each side of a river or segment of river within a scenic waterway, except land that, in the department's judgment, does not affect the view from the waters within a scenic waterway.

(4) "Scenic easement" means the right to control the use of related adjacent land, including air space above such land, for the purpose of protecting the scenic view from waters within a scenic waterway; but such control does not affect, without the owner's consent, any regular use exercised prior to the acquisition of the easement, and the landowner retains the right to uses of the land not specifically restricted by the easement. ORS 271.750 does not apply to any acquisition of such a scenic easement under ORS 390.805 to 390.925. [1971 c.1 §2]

**390.815 Policy; establishment of system.** The people of Oregon find that many of the free-flowing rivers of Oregon and lands adjacent to such rivers possess outstanding

scenic, fish, wildlife, geological, botanical, historic, archeologic, and outdoor recreation values of present and future benefit to the public. The people of Oregon also find that the policy of permitting construction of dams and other impoundment facilities at appropriate sections of the rivers of Oregon needs to be complemented by a policy that would preserve other selected rivers or sections thereof in a free-flowing condition and would protect and preserve the natural setting and water quality of such rivers and fulfill other conservation purposes. It is therefore the policy of Oregon to preserve for the benefit of the public selected parts of the state's free-flowing rivers. For these purposes there is established an Oregon Scenic Waterways System to be composed of areas designated in accordance with ORS 390.805 to 390.925 and any subsequent Acts. [1971 c.1 §1]

**390.825 Designated scenic waterways.** The following rivers, or segments of rivers, and related adjacent land, are designated as scenic waterways:

(1) The segment of the Rogue River extending from the confluence with the Apple-gate River downstream a distance of approximately 88 miles to Lobster Creek Bridge.

(2) The segment of the Illinois River from the confluence with Deer Creek downstream a distance of approximately 46 miles to its confluence with the Rogue River.

(3) The segment of the Deschutes River from immediately below the existing Pelton reregulating dam downstream approximately 100 miles to its confluence with the Columbia River, excluding the City of Maupin as its boundaries are constituted on October 4, 1977.

(4) The entire Minam River from Minam Lake downstream a distance of approximately 45 miles to its confluence with the Willowa River.

(5) The segment of the South Fork Owyhee River in Malheur County from the Oregon-Idaho border downstream approximately 25 miles to Three Forks where the main stem of the Owyhee River is formed, and the segment of the main stem Owyhee River from Crooked Creek (six miles below Rome) downstream a distance of approximately 45 miles to the mouth of Birch Creek.

(6) The segment of the main stem of the John Day River from Service Creek Bridge (at river mile 157) downstream 147 miles to Tum-water Falls (at river mile 10).

(7) The segment of the Clackamas River from the River Mill Dam below Estacada downstream approximately 12 miles to the bridge at Carver, Oregon. [1971 c.1 §3; 1975 c 612 §1; 1977 c 671 §1]

**390.835 Highest and best use of waters within scenic waterways; authority of State Fish and Wildlife Commission, Water Resources Director, Division of State Lands and State Land Board.** (1) It is declared that the highest and best uses of the waters within scenic waterways are recreation, fish and wildlife uses. The free-flowing character of these waters shall be maintained in quantities necessary for recreation, fish and wildlife uses. No dam, or reservoir, or other water impoundment facility shall be constructed or placer mining permitted on waters within scenic waterways. No water diversion facility shall be constructed or used except by right previously established or as permitted by the Water Resources Director, upon a finding that such diversion is necessary to uses designated in subsection (12) of ORS 536.310, and in a manner consistent with the policies set forth under ORS 390.805 to 390.925. The Water Resources Director shall administer and enforce the provisions of this subsection.

(2) Filling of the beds or removal of material from or other alteration of the beds or banks of scenic waterways shall be prohibited, except as permitted by the Director of the Division of State Lands upon a finding that such activity would be consistent with the policies set forth under ORS 390.805 to 390.925 for scenic waterways, and approved by the State Land Board and in a manner consistent with the policies set forth under ORS 541.605 to 541.625 and 541.630 to 541.660 for removal of material from the beds and banks and filling of any waters of this state. The Director of the Division of State Lands shall administer and enforce the provisions of this subsection.

(3) Nothing in ORS 390.805 to 390.925 affects the authority of the State Fish and Wildlife Commission to construct facilities or make improvements to facilitate the passage or propagation of fish or to exercise other responsibilities in managing fish and wildlife resources. Nothing in ORS 390.805 to 390.925 affects the authority of the Water Resources Director to construct and maintain stream gauge stations and other facilities related to his duties in administration of the water laws.

(4) The Water Policy Review Board shall carry out its responsibilities under ORS 536.210 to 536.590 with respect to the waters within scenic waterways in conformity with the provisions of this section. [1971 c.1 §4; 1973 c 756 §1; 1977 c 671 §2]

**390.845 Functions of the department; use of adjacent lands.** (1) Except as provided in ORS 390.835, scenic waterways shall be administered by the department, each in such manner as to protect and enhance the values which caused such scenic waterway to be included in the system. In such administration primary emphasis shall be given to protecting the esthetic, scenic, fish and wildlife, scientific and recreation features, based on the special attributes of each area.

(2) After consultation with the State Board of Forestry and the State Department of Agriculture and with the concurrence of the Water Policy Review Board, the department shall adopt rules and regulations governing the management of related adjacent land. Such rules and regulations shall be adopted in accordance with ORS 183.310 to 183.500. Such rules and regulations shall reflect management principles, standards and plans applicable to scenic waterways, their shore lines and related adjacent land and, if necessary, establish varying intensities of protection or development based on special attributes of each area. Such management principles, standards and plans shall protect or enhance the esthetic and scenic values of the scenic waterways and permit compatible agricultural, forestry and other land uses. Specifically, and not in limitation of the foregoing, such rules and regulations shall provide that:

(a) No roads, railroads or utilities shall be constructed within any scenic waterway except where necessary to serve the permissible uses, as defined in subsection (2) of this section and in the rules and regulations of the department, of the related adjacent land or unless department approval of such use is obtained as provided in subsection (4) or (5) of this section. The department wherever practicable shall require the sharing of land and air space by such roads, railroads and utilities. All permissible roads, railroads and utilities shall be located in such a manner as to minimize the disturbance of the natural beauty of a scenic waterway;

(b) Forest crops shall be harvested in such manner as to maintain as nearly as reason-

ably is practicable the natural beauty of the scenic waterway;

(c) Occupants of related adjacent land shall avoid pollution of waters within a scenic waterway;

(d) The surface of related adjacent land shall not be disturbed for prospecting or mining unless the department's approval is obtained under subsection (4) or (5) of this section; and

(e) Unless department approval of the proposed use is obtained under subsection (4) or (5) of this section, no commercial, business or industrial structures or buildings other than structures or buildings erected in connection with an existing use shall be erected or placed on related adjacent land. All structures and buildings erected or placed on such land shall be in harmony with the natural beauty of the scenic waterway and shall be placed a sufficient distance from other structures or buildings so as not to impair substantially such natural beauty. No signs or other forms of outdoor advertising that are visible from waters within a scenic waterway shall be constructed or maintained.

(3) No person shall put related adjacent land to uses that violate ORS 390.805 to 390.925 or the rules or regulations of the department adopted under ORS 390.805 to 390.925 or to uses to which the land was not being put before December 3, 1970, or engage in the cutting of trees, or mining, or prospecting on such lands or construct roads, railroads, utilities, buildings or other structures on such lands, unless the owner of the land has given to the department written notice of such proposed use at least one year prior thereto and has submitted to the department with the notice a specific and detailed description of such proposed use or has entered into agreement for such use with the department under subsection (5) of this section. The owner may, however, act in emergencies without the notice required by ORS 390.805 to 390.925 when necessary in the interests of public safety.

(4) Upon receipt of the written notice provided in subsection (3) of this section, the department shall first determine whether in its judgment the proposed use would impair substantially the natural beauty of a scenic waterway. If the department determines that the proposal, if put into effect, would not impair substantially the natural beauty of the scenic waterway, the department shall notify in writing the owner of the related adjacent

land that he may immediately proceed with the proposed use as described to the department. If the department determines that the proposal, if put into effect, would impair substantially the natural beauty of the scenic waterway, the department shall notify in writing the owner of the related adjacent land of such determination and no steps shall be taken to carry out such proposal until at least one year after the original notice to the department. During such period:

(a) The department and the owner of the land involved may agree upon modifications or alterations of the proposal so that implementation thereof would not in the judgment of the department impair substantially the natural beauty of the scenic waterway; or

(b) The department may acquire by purchase, gift or exchange, the land involved or interests therein, including scenic easements, for the purpose of preserving the natural beauty of the scenic waterway.

(5) The department, upon written request from an owner of related adjacent land, shall enter into negotiations and endeavor to reach agreement with such owner establishing for the use of such land a plan that would not impair substantially the natural beauty of the scenic waterway. At the time of such request for negotiations, the owner may submit a plan in writing setting forth in detail his proposed uses. Three months after the owner makes such a request for negotiations with respect to use of land, either the department or the owner may give written notice that the negotiations are terminated without agreement. Nine months after the notice of termination of negotiations the owner may use his land in conformity with any specific written plan submitted by the owner prior to or during negotiations. In the event the department and the owner reach agreement establishing a plan for land use, such agreement is terminable upon at least one year's written notice by either the department or the owner.

(6) With the concurrence of the Water Policy Review Board, the department may institute condemnation proceedings and by condemnation acquire related adjacent land:

(a) At any time subsequent to nine months after the receipt of notice of a proposal for the use of such land that the department determines would, if carried out, impair substantially the natural beauty of a scenic waterway unless the department and the owner of such land have entered into an agreement as con-

templated by subsection (4) or (5) of this section or the owner shall have notified the department of the abandonment of such proposal; or

(b) At any time related adjacent land is used in a manner violating ORS 390.805 to 390.925, the rules and regulations of the department or any agreement entered into by the department pursuant to subsection (4) or (5) of this section; or

(c) At any time related adjacent land is used in a manner which, in the judgment of the department, impairs substantially the natural beauty of a scenic waterway, if the department has not been given at least one year's advance written notice of such use and if there is not in effect department approval of such use pursuant to subsection (4) or (5) of this section.

(7) In such condemnation the owner of the land shall not receive any award for the value of any structure, utility, road or other improvement constructed or erected upon the land after December 3, 1970, unless the department has received written notice of such proposed structure, utility, road or other improvement at least one year prior to commencement of construction or erection of such structure, utility, road or other improvement or unless the department has given approval for such improvement under subsection (4) or (5) of this section. If the person owned the land on December 3, 1970, and for a continuous period of not less than two years immediately prior thereto, he shall receive no less for the land than its value on December 3, 1970. The department shall not acquire by condemnation a scenic easement in land. When the department acquires any related adjacent land that is located between a river and other land that is owned by a person having the right to the beneficial use of waters in the river by virtue of his ownership of the other land:

(a) The right to the beneficial use of such waters shall not be affected by such condemnation; and

(b) The owner of the other land shall retain a right of access to the river necessary to use, store or divert such waters as he has a right to use, consistent with concurrent use of the land so condemned as a part of the Oregon Scenic Waterways System.

(8) Any owner of related adjacent land, upon written request to the department, shall be provided copies of rules and regulations

then in effect or thereafter adopted by the department pursuant to ORS 390.805 to 390.925.

(9) The department shall furnish to any member of the public upon his written request and at his expense a copy of any notice filed pursuant to subsection (3) of this section.

(10) If a scenic waterway contains lands or interests therein owned by or under the jurisdiction of an Indian tribe, the United States, another state agency or local governmental agency, the department may enter into agreement with the tribe or the federal, state or local agency for the administration of such lands or interests therein in furtherance of the purposes of ORS 390.805 to 390.925. [1971 c.1 §5; 1971 c.459 §1; 1973 c.756 §2]

**390.855 Designation of additional scenic waterways.** The department shall undertake a continuing study and submit periodic reports to the Governor, with the concurrence of the Water Policy Review Board, recommending the designation of additional rivers or segments of rivers and related adjacent land by the Governor as scenic waterways subject to the provisions of ORS 390.805 to 390.925. Consistent with such recommendation, the Governor may designate any river or segment of a river and related adjacent land as a scenic waterway subject to the provisions of ORS 390.805 to 390.925. The department shall consult with the State Fish and Wildlife Commission, the State Department of Agriculture, the Environmental Quality Commission, the Division of State Lands, and such other persons or agencies as it considers appropriate. The Department of Transportation shall conduct hearings in the counties in which the proposed additional rivers or segments of rivers are located. The following criteria shall be considered in making such report:

(1) The river or segment of river is relatively free-flowing and the scene as viewed from the river and related adjacent land is pleasing, whether primitive or rural-pastoral, or these conditions are restorable.

(2) The river or segment of river and its setting possess natural and recreation values of outstanding quality.

(3) The river or segment of river and its setting are large enough to sustain substantial recreation use and to accommodate existing uses without undue impairment of the natural values of the resource or quality of the recreation experience. [1971 c.1 §6]

**390.865 Authority of legislature over designation of additional scenic waterways.** The designation of a river or segment of a river and related adjacent land, pursuant to ORS 390.855, shall not become effective until the day following the adjournment sine die of the regular session of the Legislative Assembly next following the date of the designation or that was in session when the designation was made. The Legislative Assembly by joint resolution may disapprove any such designation or a part thereof, and in that event the designation, or part thereof so disapproved, shall not become effective. [1971 c.1 §7]

**390.875 Transfer of public lands in scenic waterways to department; administration of nontransferred lands.** Any public land within or adjacent to a scenic waterway, with the consent of the governing body having jurisdiction thereof, may be transferred to the jurisdiction of the department with or without compensation. Any land so transferred shall become state recreational land and shall be administered as a part of the scenic waterway. Any such land within a scenic waterway which is not transferred to the jurisdiction of the department, to the fullest extent consistent with the purposes for which the land is held, shall be administered by the body having jurisdiction thereof in accordance with the provisions of ORS 390.805 to 390.925. [1971 c.1 §8]

**390.885 Exchange of property within scenic waterway for property outside waterway.** In acquiring related adjacent land by exchange, the department may accept title to any property within a scenic waterway, and in exchange therefor, may convey to the grantor of such property any property under its jurisdiction that the department is not otherwise restricted from exchanging. In so far as practicable, the properties so exchanged shall be of approximately equal fair market value. If they are not of approximately equal fair market value, the department may accept cash or property from, or pay cash or grant property to, the grantor in order to equalize the values of the properties exchanged. [1971 c.1 §9]

**390.895 Use of federal funds.** In addition to State of Oregon funds available for the purposes of ORS 390.805 to 390.925, the department shall use such portion of moneys made available to it by the Bureau of Outdoor Recreation and other federal agencies, including matching funds, as the department deter-

mines are necessary and available to carry out the purposes of ORS 390.805 to 390.925. [1971 c.1 §10]

**390.905 Effect of ORS 390.805 to 390.925 on other state agencies.** Nothing in ORS 390.805 to 390.925 affects the jurisdiction or responsibility of other state agencies with respect to boating, fishing, hunting, water pollution, health or fire control; except that such state agencies shall endeavor to perform their responsibilities in a manner consistent with the purposes of ORS 390.805 to 390.925. [1971 c.1 §11]

**390.915 Determination of value of scenic easement for tax purposes; easement exempt.** For the purposes of assessing property for taxation, real property that is subject to a scenic easement shall be assessed on the basis of the true cash value of the property less any reduction in value caused by the scenic easement. The easement shall be exempt from assessment and taxation the same as any other property owned by the state. [1971 c.1 §12]

**390.925 Enforcement.** The department is vested with power to obtain injunctions and other appropriate relief against violations of any provisions of ORS 390.805 to 390.925 and any rules and regulations adopted under ORS 390.805 to 390.925 and agreements made under ORS 390.805 to 390.925. [1971 c.1 §13]

## RECREATION TRAILS

**390.950 Short title.** ORS 390.950 to 390.989 and subsection (4) of 390.990 may be cited as the Oregon Recreation Trails System Act. [1971 c.614 §1]

**390.953 "Department" defined.** As used in ORS 390.950 to 390.989, unless the context requires otherwise, "department" means the Department of Transportation. [1971 c.614 §2]

**390.956 Policy.** (1) 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.

(2) The purpose of ORS 390.950 to 390.989 and subsection (4) of 390.990 is to provide the means for attaining these objectives by instituting a system of recreation trails in this state, by designating certain trails as the initial components of that system, and by prescribing the methods of which, and standards according to which, additional components may be added to the system. [1971 c.614 §3]

**390.959 Composition of trails system; establishment of markers.** The system of Oregon recreation trails shall be composed of trails established as provided in ORS 390.962 and 390.965. The department, in consultation with appropriate federal, state and local governmental agencies and public and private organizations, shall establish a uniform marker for the system of Oregon recreation trails. [1971 c 614 §4]

**390.962 Criteria for establishing trails; location; statutes authorizing trails for motorized vehicles unaffected.** (1) Upon finding that such trails will meet the criteria established in ORS 390.950 to 390.989 and subsection (4) of 390.990 and such supplementary criteria as the department may prescribe, the department is encouraged and empowered to establish and designate Oregon recreation trails:

(a) Over lands owned by the State of Oregon, by the Federal Government or by any county, municipality or other local governmental body, with the consent of the state agency, federal agency, county, municipality or other local governmental body having jurisdiction over the lands involved; or

(b) Over lands owned by private persons, in the manner and subject to the limitations provided in ORS 390.950 to 390.989 and subsection (4) of 390.990.

(2) In establishing such trails, the department shall give special recognition to the need for the establishment of recreation trails in or near, or reasonably accessible to, urban areas. Upon the establishment of any such trail, the department shall designate the primary kind of trail it is to be, based upon the mode or modes of travel to be permitted on such trail, including one or more of the following:

- (a) Footpath.
- (b) Horseback riding trail.
- (c) Bicycle path.

(3) Nothing in ORS 390.950 to 390.989 and subsection (4) of 390.990 affects any other statute authorizing trails for motorized vehicles which is not inconsistent with ORS 390.950 to 390.989 and subsection (4) of 390.990. [1971 c.614 §5]

**390.965 Hearing required; information to be considered.** (1) The department may establish trails after public meetings in the areas of the state where trails are planned and only in accordance with the following criteria:

(a) Emphasis shall be given to the development of trails across public lands.

(b) No trails shall cross private land occupied by a residential dwelling, or upon which a residential dwelling is under construction, within 300 feet of such residential dwelling, without the consent of the owner.

(c) Trails shall be selected to minimize the adverse effects on adjacent landowners or users and their operations.

(d) Development and management of trails shall be designed to harmonize with and complement any established forest, agricultural, or other use plan that is compatible with the purposes of ORS 390.950 to 390.989 and subsection (4) of 390.990.

(2) Before establishing a trail the department shall consider at a public meeting the following information:

(a) The proposed route of such trail (including maps and illustrations) and the recommended mode or modes of travel to be permitted thereon;

(b) The areas adjacent to such trails, to be utilized for scenic, historic, natural, cultural or developmental purposes;

(c) The characteristics that, in the judgment of the department, make the proposed trail suitable as an Oregon recreation trail;

(d) The current status of land ownership and current and potential use along the designated route;

(e) The estimated cost of acquisition of lands or interest in lands, if any;

(f) The plans for developing and maintaining the trail and the cost thereof;

(g) Any anticipated problems of policing the use of such trail and any anticipated hazards to the use of any privately owned lands adjacent to such trail; and

(h) The extent to which the state or its political subdivisions and public and private organizations might reasonably be expected to participate in acquiring the necessary lands and in the administration thereof. [1971 c.614 §6]

**390.968 Selection of rights of way for trails.** (1) The department shall select the rights of way for trails designated as Oregon Recreation Trails by paragraphs (a) and (b) of subsection (1) of ORS 390.962. Such rights of way shall be:

(a) Of sufficient width and so located as to protect natural conditions, scenic and historic features, and any primitive character of the trail area; to provide campsites, shelters, and related public-use facilities along trails in more remote areas; and to provide reasonable public access.

(b) Located to avoid, in so far as reasonably practicable, established highways, motor roads, mining areas, power transmission lines, existing commercial and industrial developments, range fences and improvements, private logging operations, and any other activities that would be incompatible with the protection of the trailside environment in its natural condition and the use of the trail for outdoor recreation.

(2) Notwithstanding subsection (1) of this section, it is recognized that in many instances (especially in urban areas and for some types of trails across or near private land) it may be advisable to locate segments of trails in or near existing rights of way for roads, highways, or public utilities, excluding power transmission lines; and it is recognized that trail rights of way on occasion may be located, or from time to time relocated, through, or adjacent to, lands used for private timber (including logging), agriculture, commercial or industrial operations and that such location or relocation of a trail right of way, of itself, shall not impose any limitation upon an otherwise lawful use of the adjacent private land except to the extent of the terms of any agreement with the private landowner as provided in subsection (1) of ORS 390.971 and except as may be provided by any zoning ordinance, law or regulation.

(3) The location and width of an Oregon recreation trail right of way across federal lands under the jurisdiction of a federal agency shall be by agreement between that agency and the department.

(4) In selecting a right of way, the department shall endeavor to obtain the advice and assistance of the local governments, private organizations, landowners, the land users concerned, and the advisory council established under ORS 390.977.

(5) The department shall hold a public hearing in the area of the state where the selection of such right of way is to be made. Subject to ORS 390.971, after public hearing, the department may revise the location and width of a right of way from time to time as required by circumstances, with the consent of the head of any federal agency involved, and with such advice and assistance of the local governments, private organizations, landowners, land users, and the advisory council, as the department considers necessary or advisable. [1971 c.614 §7]

**390.971 Department duties and powers, generally.** (1) Within the exterior boundaries of areas under its administration that are included in the right of way selected for an Oregon recreation trail as provided in ORS 390.950 to 390.989 and subsection (4) of 390.990, the department may:

(a) Enter into written cooperative agreements with landowners, federal agencies, other state agencies, local governments, private organizations and individuals, in order to provide for the development, operation, maintenance, location and relocation of the trail; where the trail crosses commercial forest land, such agreement shall make reasonable provision for temporary relocation reasonably required for commercial forest management; and

(b) Subject to limitations set forth in ORS 390.950 to 390.989 and subsection (4) of 390.990, acquire lands or interests in lands by donation, purchase with donated or appropriated funds or exchange, or with funds obtained under ORS 390.980.

(2) The department, in the exercise of its exchange authority, may accept title to any nonstate-owned property within a trail right of way, and in exchange therefor it may convey to the grantor of such property any state-owned property under its jurisdiction (or the jurisdiction of any state agency consenting to such exchange) and which it (or the applicable consenting state agency) classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equal-

ized by the payment of cash to the grantor or to the department (or applicable consenting state agency) as the circumstances require.

(3) If lands included in an Oregon recreation trail right of way are outside the exterior boundaries of state or federally administered areas, the department shall attempt, and any local governments involved shall be encouraged, to enter into written cooperative agreements with landowners, local government, private organizations, and individuals in order to develop, administer, and maintain the trails, and to acquire, develop, and administer such lands or interests therein. However:

(a) If the department or local governments fail or are unable to enter into such agreements or to acquire such lands or interests therein within one year after the selection of the right of way, the department may acquire private lands or interests therein by donation, exchange, or purchase with donated or appropriated funds, and may develop and administer such lands or interests therein.

(b) Exchanges shall be governed by the provisions of subsection (2) of this section.

(4) Oregon recreation trails shall be administered, protected, developed and maintained by the department, or as provided under paragraph (a) of subsection (1) of this section, to retain their natural, scenic and historic features. Along trails in more remote areas provision may be made for campsites, shelters and related public-use facilities; and other uses, including reasonable crossings (for motor vehicles, public utilities and water pipes and ditches), that will not substantially interfere with the nature and purposes of the trails may be permitted or authorized, as appropriate. The use of motorized vehicles by the general public along any such Oregon recreation trail is prohibited. However, the department shall authorize the use of motorized vehicles when, in its judgment, such vehicles are necessary to meet emergencies, trail construction and maintenance needs or to enable adjacent landowners or land users to have reasonable access to their lands or timber rights. The fact that private lands are included in an Oregon recreation trail by cooperative agreement of a landowner does not preclude the owner of such lands or his agents from using motorized vehicles on or across such trails or adjacent lands from time to time in accordance with such agreement. Except to the extent otherwise provided by law, the state laws, rules and regulations applicable to lands or areas included in any

Oregon recreation trail shall continue to apply. Nothing in ORS 390.950 to 390.989 and subsection (4) of 390.990 prohibits the use of roads existing on private lands on September 9, 1971, which may cross or traverse portions of the trail right of way, nor shall ORS 390.950 to 390.989 and subsection (4) of 390.990 prevent trails from crossing such roads.

(5) The department shall endeavor to induce agreements with appropriate state and federal agencies to provide for youth work projects to assist in the construction and maintenance of trails that are part of the Oregon recreation trails system.

(6) The department shall endeavor, when it considers such to be appropriate, to develop and enhance the educational values and opportunities of Oregon recreation trails; and in this connection it shall cooperate with schools, educators and other interested persons or groups in developing and utilizing techniques and materials to demonstrate to and inform the trail-using public of various scenic and natural features visible along or from such trails (including geological, botanical, historical, zoological and similar features).

(7) The department shall place and endeavor to maintain signs at such places as it considers appropriate along Oregon recreation trails advising users of the Oregon laws of criminal trespass and encouraging users to protect the trails and the rights and property of adjacent landowners.

(8) The department, with the concurrence of any federal agency administering lands through which an Oregon recreation trail passes, and after consultation with the local governments, private organizations and landowners which the department knows or believes to be concerned, and the advisory council established under ORS 390.977, may issue rules and regulations that may be revised from time to time governing protection, management, use, development and administration of an Oregon recreation trail.

(9) The department, on lands not within a forest protection district, upon recommendation of the State Forester, shall have the authority to close trails during periods of high fire danger. The department shall also have the authority to close trails if it deems it necessary to protect the safety of the public.

(10) Notwithstanding the provisions of ORS chapter 477, forest land on which a fire exists which was caused by a person using, for

recreational purposes, a trail established pursuant to ORS 390.950 to 390.989 and subsection (4) of 390.990, shall not be considered an operation area as defined by ORS 477.001, if the fire did not start within an operation as defined by ORS 477.001. [1971 c.614 §9; 1973 c.46 §7]

**390.974 Intergovernmental cooperation to obtain property for use in trail system.** The department is authorized and encouraged to consult and to cooperate with any state, federal or local governmental agency or body and with any privately owned utility having jurisdiction or control over or information concerning the use, abandonment or disposition of roadways, utility rights of way or other properties suitable for the purpose of improving or expanding the Oregon recreation trails system in order to assure, to the extent practicable, that any such properties having value for Oregon recreation trail purposes may be made available for such use. [1971 c.614 §11]

**390.977 Oregon Recreation Trails Advisory Council; members; appointment; expenses.** (1) The department shall establish an Oregon Recreation Trails Advisory Council and shall consult with such council from time to time with respect to matters relating to Oregon recreation trails, including the designation and establishment of Oregon recreation trails, the selection of rights of way, the selection, erection and maintenance of markers along the trail routes, and the administration of the trails. The council shall consist of eight members, two from each congressional district in the state. However, not less than two of such members shall be from separate counties bordering upon the ocean shore, as defined in subsection (2) of ORS 390.605, having a population of less than 150,000. Members of the council shall be appointed by the Governor and shall serve for terms of three years. Any vacancy in the council shall be filled in the same manner as the original appointment.

(2) Members of the council shall serve without compensation, but the department may pay the expenses reasonably incurred by the council in the performance of its functions upon presentation of vouchers signed by the chairman of the council. [1971 c.614 §8]

**390.980 Funds for purposes of ORS 390.950 to 390.989; acceptance, use of donated funds; indemnity to owners of land**

**damaged by trail users.** In addition to State of Oregon funds available for the purposes of ORS 390.950 to 390.989 and subsection (4) of 390.990, the department may use such portion of moneys made available to it by any federal agency which may be used for such purposes, including matching funds, as the department determines are necessary or desirable to carry out the purposes of ORS 390.950 to 390.989 and subsection (4) of 390.990. In addition to the foregoing, the department may receive and may encourage the receipt of donated funds or property from individuals, groups or organizations (including trail users) for specified or nonspecified uses in connection with the acquisition, development, maintenance and administration of Oregon recreation trails. The department if it considers it advisable, may provide under its rules and regulations, for the use of a portion of any such donated funds received for nonspecified purposes to grant to an owner of private land adjacent to an Oregon recreation trail, funds indemnifying such owner for damage clearly caused to his land, and property therein, by users of such trail and which such landowner has not been able to recover from the user causing such damage. [1971 c.614 §12]

**390.983 Trail property tax assessment.** For the purposes of assessing property for taxation, real property that is subject to an easement, or a written cooperative agreement, for purposes of ORS 390.950 to 390.989 and subsection (4) of 390.990 shall be assessed on the basis of the true cash value of the property less any reduction in value caused by the easement or the written cooperative agreement. The easement shall be exempt from assessment and taxation the same as any other property owned by the state. [1971 c.614 §13]

**390.986 Injunctive relief for violation of ORS 390.950 to 390.989.** The department has power to obtain injunctions against violations of any provisions of ORS 390.950 to 390.989 and subsection (4) of 390.990 and any rules and regulations adopted under ORS 390.950 to 390.989 and subsection (4) of 390.990 and agreements made under ORS 390.950 to 390.989 and subsection (4) of 390.990. [1971 c.614 §14]

**390.989 Eminent domain does not apply to department powers or duties under ORS 390.950 to 390.989.** Any power of eminent domain otherwise vested in the De-

partment of Transportation does not apply to any power or duty vested in the department by ORS 390.950 to 390.989 and subsection (4) of 390.990. [1971 c.614 §16]

### PENALTIES

**390.990 Penalties.** (1) Any person, firm or corporation violating any of the regulations provided in ORS 390.160 shall be punished, upon conviction, by a fine of not more than \$500 or by imprisonment in the county jail for not more than 30 days.

(2) Violation of any provision of ORS 390.668 or 390.705, or any rule promulgated under such statutes, is punishable, upon conviction, by a fine not exceeding \$500 or impri-

sonment in the county jail for not more than six months, or both.

(3) Violation of ORS 390.640 shall be punished, upon conviction, by a fine of not more than \$500 or imprisonment in the county jail for not more than six months, or both. Each day a violation continues shall be considered a separate offense.

(4) Any person who violates a rule or regulation issued under ORS 390.950 to 390.989 is guilty of a misdemeanor, and may be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or both. [Subsection (1) formerly 366.990; subsection (2) formerly part of 274.990; 1969 c.601 §28; 1971 c.743 §362; subsection (4) enacted as 1971 c.614 §10]

### CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Thomas G. Clifford, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,  
October 1, 1979.

Thomas G. Clifford  
Legislative Counsel

