

Chapter 390

1987 REPLACEMENT PART

State and Local Parks; Recreation Programs; Scenic Waterways; Recreation Trails

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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 Resources Commission

(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]

INFRACTIONS

390.050 Park and recreation infractions; enforcement; disposition of fines and costs. (1) The park and recreation infractions that are established by this chapter are infractions that are subject to ORS 8 665, 153 110 to 153 310 and 153 990. Except as otherwise specifically provided in this chapter any offense that is designated as a park and recreation infraction is subject to citation and enforcement as provided under ORS 8 665, 153 110 to 153 310 and 153 990

(2) In addition to any other persons permitted to enforce infractions under ORS 8 665, 153 110 to 153 310 and 153 990, the Administrator of the Parks and Recreation Division and any employe of the Parks and Recreation Division specifically designated by the administrator have jurisdiction of and may enforce park and recreation infractions established under this chapter in the manner provided under ORS 8 665, 153 110 to 153 310 and 153 990 for the enforcement of infractions

(3) All fines and court costs recovered from violations of park and recreation infractions shall be paid to the clerk of the court involved. The clerk, after deductions of court costs provided by law for the proceeding, shall pay the remainder of

the money to the Parks and Recreation Division of the Department of Transportation for deposit in the separate account established for the Parks and Recreation Division under ORS 366 512 Except as otherwise provided in this section the moneys shall be used as are other moneys in that account

(4) Notwithstanding subsection (3) of this section, the moneys collected under ORS 390 990 for violation of any rule adopted under ORS 390 845 shall be used only for purposes of maintenance, enhancement or protection of the natural and scenic beauty of scenic waterways consistent with ORS 390 805 to 390 925 [1981 c 692 §2, 1981 c 798 §35]

Note The amendments to 390 050 by section 21, chapter 905, Oregon Laws 1987, take effect July 1, 1989 See section 39, chapter 905, Oregon Laws 1987 The text is set forth for the user s convenience

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(3) All fines and court costs recovered from violations of park and recreation infractions shall be paid to the clerk of the court involved Such moneys shall be credited and distributed under ORS 137 290 and 137 295 as monetary obligations payable to the state

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 of 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 the official duties of the State Recreation Director

(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 Personnel Relations 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 func-

tions 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]

390.143 Agreements to provide interpretative services to recreational facilities; authority of organizations and division under agreement; disposition of moneys; definition of "recreation facility". (1) In order to further the interpretive and educational functions of recreation facilities in Oregon, the Administrator of the Parks and Recreation Division may enter into an agreement with a private, nonprofit scientific, historic or educational organization organized solely for the purpose of providing interpretive services to recreation facilities in Oregon

(2) An organization entering into an agreement with the administrator under subsection (1) of this section may

(a) Provide educational or interpretive material for sale at a recreation facility,

(b) Acquire display materials and equipment for exhibits at a recreation facility,

(c) Provide support for special recreation facility interpretive programs or environmental education programs,

(d) Support recreation facility libraries, or

(e) Provide support for other interpretive projects related to a specific recreation facility

(3) If the administrator enters into an agreement with a private organization under subsection (1) of this section, the Parks and Recreation Division may

(a) Provide incidental personnel services to the organization's interpretive program, and

(b) Provide space at a recreation facility for the interpretive materials provided by the organization

(4) Any money received from the sale of publications or other materials provided by an organization pursuant to an agreement entered into under this section shall be retained by the organization for use in the interpretive or educational services of the recreation facility for which the organization provides interpretive services

(5) As used in this section, "recreation facility" includes but is not limited to state parks and all recreational, historical and scenic attractions owned or under the control of the State of Oregon and administered by the Parks and Recreation Division [1985 c 303 §2]

390.144 Rules for ORS 390.143. The Administrator of the Parks and Recreation Division shall adopt rules to carry out the purpose of ORS 390 143 The rules shall include but need not be limited to

(1) Procedures and forms to be used by an organization desiring to enter into an agreement with the administrator under ORS 390 143,

(2) Guidelines for approving the interpretive material an organization proposes to provide to a recreation facility, and

(3) Provisions for renewing or dissolving an agreement between an organization and the administrator [1985 c 303 §3]

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]

390.153 Parks Donation Trust Fund; sources; uses. (1) The Parks Donation Trust Fund is established as a fund in the State Treasury All gifts or donations of money received by the Parks and Recreation Division of the Department of Transportation shall be deposited with the State Treasurer and credited by the treasurer to the fund The treasurer may establish subaccounts in the fund established in this section if the treasurer determines that the terms of a gift or donation require a separate subaccount Any interest or other income derived from the depositing or other investing of the fund shall be credited monthly to the fund except that interest or other income attributable to a subaccount shall be credited to that subaccount

(2) Moneys in the Parks Donation Trust Fund and in any subaccount of the fund are continuously appropriated to the Parks and Recreation Division for the purposes specified in the gift or donation or, if no specific purpose is specified, for park and recreation purposes determined by the Oregon Transportation Commission [1987 c 181 §1]

390.155 Authority for Parks and Recreation Division to accept gifts or donations. The Parks and Recreation Division may accept gifts or donations of moneys or property to be used for specific or general park and recrea-

tional purposes Subject to the terms specified in a gift or donation, the Oregon Transportation Commission may authorize use of gifts or donations in a manner that, in the commission's judgment, best carries out the intent of the gift or donation [1987 c 181 §2]

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) 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, 1987 c 358 §1]

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 Parks and Recreation Division shall adopt rules that

(1) Establish the standards the 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 Parks and Recreation Division shall follow in its development and use of each park [1979 c 637 §1, 1987 c 158 §67]

390.190 Revolving Fund. (1) A revolving fund not to exceed the aggregate amount of \$100,000 may be established within the Highway Fund by a warrant drawn on any funds, other than General Fund, appropriated to or authorized for expenditure by the Parks and Recreation Division

(2) The fund shall be at the disposal of the Parks and Recreation Division and may be used by the division

(a) To compensate employes for salaries, travel expenses, relocation expenses and other work-related expenditures, and

(b) To pay for services, supplies and materials not to exceed \$300 for any transaction

(3) All vouchers for claims paid from the revolving fund shall be approved by the Administrator of the Parks and Recreation Division and audited by the fiscal officer of the Department of Transportation. When claims are so approved and audited, warrants covering them shall be drawn in favor of the administrator and shall be used by the administrator to reimburse the fund [1983 c 443 §7]

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 Parks and Recreation 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 highway 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, 1987 c 158 §68]

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 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 1987 c 158 §69]

390.220 Provisional Government Park at Champeog. All jurisdiction over the Provisional Government Park at Champeog, 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 of 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 ORS 390 250 (3) 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) "Rural fire protection district" means a district organized under or subject to ORS chapter 478

(3) "Ocean shore" has the meaning given that term by ORS 390 605 [1973 c 673 §1, 1985 c 395 §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, counties and rural fire protection districts to provide lifesaving services along the ocean shore

(2) Any city, county or rural fire protection district that provides lifesaving services along the ocean shore may qualify for a matching fund grant for services and capital acquisitions under ORS 390 270 to 390 290 [1973 c 673 §2 1985 c 395 §2]

390.280 Duties of Department of Transportation; grants for lifesaving services; minimum standards. In addition to the other duties of the Department of Transportation, the department shall

(1) Make grants to cities, counties and rural fire protection districts to reimburse them for funds used to make capital acquisitions for and pay expenses incurred in providing lifesaving services along the ocean shore as provided in ORS 390 285 and 390 290

(2) Determine the eligibility of a city, county or rural fire protection district for, and the amounts of, such matching fund grants

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

(4) Advise governing bodies how to acquire and qualify for matching fund grants

(5) Adopt rules to carry out ORS 390 270 to 390 290 [1973 c 673 §3, 1985 c 395 §3]

390.285 Application by local governing body for reimbursement; report of activities required. (1) To obtain a grant for reimbursement of the expenses incurred in providing lifesaving services along the ocean shore, a governing body of a city, county or rural fire protection district shall file with the department a request for reimbursement of funds used during the prior fiscal year for capital acquisitions made and to pay expenses incurred for direct program costs in providing such services. The request shall include

(a) A detailed statement of the funds expended for such services or capital acquisitions during the prior fiscal year, and shall indicate the source of such funds, and

(b) 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, county or rural fire protection district with its request to the department shall submit a report of the capital acquisitions made and the lifesaving services provided during the previous year [1973 c 673 §4, 1985 c 395 §4]

390.290 Schedule for reimbursement of local governing bodies. (1) Expenditures made from city, county or rural fire protection district funds to provide lifesaving services 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 city, county or rural fire protection district, 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 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 by a city or county for reimbursement

under subsections (2) and (3) of this section shall be presented for payment and paid from the City and County Subaccount of the Parks Division Account established in the State Highway Fund under ORS 366 512 in the manner other claims against that account are paid, however, if in any fiscal year the aggregate amount of the grants approved exceeds the funds available in that subaccount for the purposes of ORS 390 270 to 390 290, the department shall prorate the available funds among the grants approved

(5) When approved by the department, claims by a rural fire protection district under subsections (2) and (3) of this section shall be presented for payment and paid from the Fire Protection District Subaccount of the Parks Division Account established in the State Highway Fund under ORS 366 512 in the manner other claims against that account are paid. However, if in any fiscal year the aggregate amount of the grants approved exceeds the funds available in that subaccount 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, 1985 c 395 §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 Willamette 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, sce-

nic, 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 deposits 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 ORS 215 203 (2), 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 ORS 215 203 (2) 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 ORS 390 318 (2)(d). 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 ORS 215 203 (2)

(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 ORS 215 203 (2), 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 farm-lands; 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 government-

tal 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 ad valorem tax purposes, land that is subject to a scenic easement acquired under ORS 390 332 or a scenic or public easement acquired under ORS 390 334 shall be valued at its true cash value, less any reduction in value caused by the easement, and assessed in accordance with ORS 308 232 The easements shall be exempt from assessment and taxation as any land owned by the state is so exempt [1973 c 558 §7 1981 c 804 §98]

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]

390 410 [Formerly 358 610, repealed by 1987 c 14 §12]

390 415 [1977 c 482 §2, repealed by 1987 c 14 §12]

390 420 [Formerly 358 615 1969 c 314 §31 1977 c 482 §4 repealed by 1987 c 14 §12]

390 430 [Formerly 358 620 1977 c 482 §5 repealed by 1987 c 14 §12]

390 440 [Formerly 358 625 repealed by 1977 c 482 §6]

390 450 [Formerly 358 630 repealed by 1987 c 14 §12]

390 460 [1977 c 482 §3 repealed by 1987 c 14 §12]

COLUMBIA RIVER GORGE COMPACT

390.500 Compact provisions. The Legislative Assembly of the State of Oregon hereby ratifies the Columbia River Gorge Compact set

forth below, and the provisions of such compact hereby are declared to be the law of this state upon such compact becoming effective as provided in Article III

A compact is entered into by and between the states of Washington and Oregon, signatories hereto, with the consent of the Congress of the United States of America, granted by an Act entitled, "The Columbia River Gorge National Scenic Area Act," P L 99-663

ARTICLE I

Columbia Gorge Commission Established

a The States of Oregon and Washington establish by way of this interstate compact a regional agency known as the Columbia River Gorge Commission The commission established in accordance with this compact shall have the power and authority to perform all functions and responsibilities in accordance with the provisions of this compact and of the Columbia River Gorge National Scenic Area Act (the federal Act), which is incorporated by this specific reference in this agreement The commission's powers shall include but not be limited to

1 The power to sue and be sued

2 The power to disapprove a land use ordinance enacted by a county if the ordinance is inconsistent with the management plan, as provided in P L 96-663 §7(b)(3)(B)

3 The power to enact a land use ordinance setting standards for the use of nonfederal land in a county within the scenic area if the county fails to enact land use ordinances consistent with the management plan, as provided in P L 99-663 §7(c)

4 According to the provisions of P L 99-663 §10(c), the power to review all proposals for major development action and new residential development in each county in the scenic area, except urban areas, and the power to disapprove such development if the commission finds the development is inconsistent with the purposes of P L 99-663

b The commission shall appoint and remove or discharge such personnel as may be necessary for the performance of the commission's functions, irrespective of the civil service, personnel or other merit system laws of any of the party states

c The commission may establish and maintain, independently or in conjunction with any one or more of the party states, a suitable retirement system for its full-time employees Employees

of the commission shall be eligible for social security coverage in respect of old age and survivors insurance provided that the commission takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate.

d The commission shall obtain the services of such professional, technical, clerical and other personnel as may be deemed necessary to enable it to carry out its functions under this compact. The commission may borrow, accept, or contract for the services of personnel from any state of the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation.

e Funds necessary to fulfill the powers and duties imposed upon and entrusted to the commission shall be provided as appropriated by the legislatures of the states in accordance with Article IV. The commission may also receive gifts, grants, endowments and other funds from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of the commission and expend the same or any income therefrom according to the terms of the gifts, grants, endowments or other funds.

f The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold and convey real and personal property and any interest therein.

g The commission shall adopt bylaws, rules, and regulations for the conduct of its business, and shall have the power to amend and rescind these bylaws, rules and regulations. The commission shall publish its bylaws, rules and regulations in convenient form and shall file a copy thereof and of any amendment thereto, with the appropriate agency or officer in each of the party states.

ARTICLE II

The Commission Membership

a The commission shall be made up of twelve voting members appointed by the states, as set forth herein, and one non-voting member appointed by the U S Secretary of Agriculture.

b Each state governor shall appoint the members of the commission as provided in the federal Act (three members who reside in the State of Oregon, including one resident of the scenic area, to be appointed by the Governor of Oregon, and three members who reside in the

State of Washington, including one resident of the scenic area, appointed by the Governor of Washington).

c One additional member shall be appointed by the governing body of each of the respective counties of Clark, Kluckitlat, and Skamania in Washington, and Hood River, Multnomah, and Wasco in Oregon, provided that in the event the governing body of a county fails to make such an appointment, the Governor of the state in which the county is located shall appoint such a member.

d The terms of the members and procedure for filling vacancies shall all be as set forth in the federal Act.

ARTICLE III

Effective Date of Compact and Commission

This compact shall take effect, and the commission may exercise its authorities pursuant to the compact and pursuant to the Columbia River Gorge National Scenic Area Act when it has been ratified by both states and upon the appointment of four initial members from each state. The date of this compact shall be the date of the establishment of the commission.

ARTICLE IV

Funding

a The States of Washington and Oregon hereby agree to provide by separate agreement or statute of each state for funding necessary to effectuate the commission, including the establishment of compensation or expenses of commission members from each state which shall be paid by the state of origin.

b The commission shall submit to the Governor or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

c Subject to appropriation by their respective legislatures, the commission shall be provided with such funds by each of the party states as are necessary to provide the means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the commission.

d The commission's proposed budget and expenditures shall be apportioned equally between the states.

e The commission shall keep accurate accounts of all receipts and disbursements. The

receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by the appropriate state auditing official and the report of the audit shall be included in and become a part of the annual report of the commission.

f The accounts of the commission shall be open at any reasonable time for inspection by the public.

ARTICLE V

Severability

If any provision of this compact, or its application to any person or circumstance, is held to be invalid, all other provisions of this compact, and the application of all of its provisions to all other persons and circumstances, shall remain valid, and to this end the provisions of this compact are severable.

[1987 c 14 §1]

390.505 Authority for state officers and agencies to carry out duties under compact. The Governor, the Columbia River Gorge Commission and all state agencies and counties are hereby directed and provided authority to carry out their respective functions and responsibilities in accordance with the compact executed under ORS 390 500 to 390 515 and the Columbia River Gorge National Scenic Area Act [1987 c 14 §2]

390.510 Membership on Columbia River Gorge Commission. (1) Each member of the Columbia River Gorge Commission appointed by the Governor under ORS 390 500 shall be subject to Senate confirmation pursuant to section 4, Article III of the Oregon Constitution and shall serve at the pleasure of the Governor until the member's term expires or until a disqualifying change in residence.

(2) Members of the commission appointed from Oregon are entitled to compensation and expenses as provided in ORS 292 495 [1987 c 14 §§3, 4]

390.515 Status of commission employees for purposes of certain benefits. (1) The Columbia River Gorge Commission established under ORS 390 500 may designate its employees as employees and the commission as an employer subject to the Oregon Public Employees' Retirement System under ORS 237 003 to 237 315 or as an employer and employees subject to a retirement system provided by the State of Washington under the laws of the State of Washington.

(2) The commission may designate its employees as employees eligible under benefit plans provided under ORS 243 105 to 243 205 or 243 230 to 243 300 or under benefit plans provided under the laws of the State of Washington [1987 c 14 §5]

Note Section 7 chapter 14, Oregon Laws 1987, provides

Sec 7 Of those members initially appointed to the Columbia River Gorge Commission under the compact executed under section 1 of this Act [ORS 390 500] by the governing bodies of the counties of Hood River, Multnomah and Wasco Counties, the Governor shall designate one member to serve for a term of five years and one to serve for six years. Of those members initially appointed directly by the Governor under the compact executed under section 1 of this Act the Governor shall designate one to serve a term of five years and one to serve a term of six years. All other members shall serve a period of four years [1987 c 14 §7]

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, 390 690, 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 ORS 366 205 (3), 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 therein now or hereafter acquired 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 ORS 274 705 (7), and the submersible lands, as defined in ORS 274 005 (8), 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, 390 690 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 183 550 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, 390 690, 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 ORS 390 650 (4) 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 government 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, 390 690 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 removal 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

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 described 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 Cl-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

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

Description of Location of Point Number Cl-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

Cl-7-14	907,691	1,127,287
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Description of Location of Point Number Cl-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

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

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

Description of Location of Point Number Cl-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

Cl-7-53	837,531	1,117,635
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Description of Location of Point Number Cl-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

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

Description of Location of Point Number Cl-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

Cl-7-56	836,403	1,118,094
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Description of Location of Point Number Cl-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

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

Cl-7-70	827,311	1,118,328	Cl-7-109	808,368	1,118,263
Cl-7-71	826,952	1,118,395	Cl-7-110	808,288	1,118,189
Cl-7-72	826,854	1,118,402	Cl-7-111	808,212	1,118,226
Cl-7-73	826,694	1,118,493	Cl-7-112	808,168	1,118,031
Cl-7-73A	826,041	1,118,595	Cl-7-112A	808,319	1,117,849
Cl-7-74	825,540	1,118,654	Cl-7-112B	808,236	1,117,789
Cl-7-74A	825,033	1,118,704	Cl-7-112C	808,036	1,117,904
Cl-7-75	824,406	1,118,749	Cl-7-112D	808,021	1,118,029
Cl-7-75A	823,916	1,118,765	Cl-7-113	807,723	1,117,985
Cl-7-76	823,394	1,118,783	Cl-7-114	807,577	1,118,182

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

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

Description of Location of Point Number Cl-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

Cl-7-136 794,385 1,115,979

Cl-7-137 793,087 1,115,939

Cl-7-138 792,118 1,115,833

Cl-7-139 790,613 1,115,650

Description of Location of Point Number Cl-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

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

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

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

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

T1-7-39	726,532	1,118,711	boundary of Cape Meares Park and near the
T1-7-40	725,838	1,118,610	section line located between sections 13 and 24 of
T1-7-41	725,699	1,118,588	township 1 south, range 11 west of the Willamette
T1-7-42	725,611	1,118,578	Meridian in Tillamook County
T1-7-43	725,148	1,118,201	
T1-7-44	724,087	1,117,923	T1-7-85
T1-7-45	723,843	1,117,852	679,740
T1-7-46	723,687	1,117,804	T1-7-86
T1-7-47	723,393	1,117,689	679,286
T1-7-48	722,609	1,117,479	T1-7-87
T1-7-49	721,882	1,117,853	677,505
T1-7-50	721,363	1,117,492	T1-7-88
T1-7-51	720,771	1,117,726	677,287
T1-7-51A	720,313	1,117,712	
T1-7-52	719,839	1,117,130	Description of Location of Point
T1-7-53	717,383	1,116,446	Number Ti-7-88: A point near the north end of
T1-7-54	716,779	1,116,324	the headlands at the south end of Short Beach
T1-7-55	715,094	1,115,787	located in section 24 of township 1 south, range
T1-7-56	714,694	1,115,710	11 west of the Willamette Meridian in Tillamook
T1-7-57	713,732	1,115,426	County
T1-7-58	713,010	1,115,320	
T1-7-59	706,624	1,117,487	T1-7-89
T1-7-60	706,305	1,117,368	676,698
T1-7-61	705,591	1,117,212	
T1-7-62	702,813	1,116,623	Description of Location of Point
T1-7-63	701,988	1,116,474	Number Ti-7-89: A point near the south end of
T1-7-64	700,758	1,116,213	the headlands south of Short Beach located in
T1-7-65	700,641	1,116,216	section 24 of township 1 south, range 11 west of
T1-7-66	698,359	1,115,831	the Willamette Meridian in Tillamook County
T1-7-67	698,018	1,115,766	
T1-7-68	697,730	1,115,742	T1-7-90
T1-7-69	695,285	1,115,488	676,630
T1-7-70	694,014	1,115,269	T1-7-91
T1-7-71	693,995	1,115,417	676,425
T1-7-72	693,046	1,115,096	T1-7-92
T1-7-73	691,876	1,114,912	676,188
T1-7-74	691,096	1,114,625	T1-7-93
T1-7-75	689,408	1,114,216	675,777
T1-7-76	689,446	1,114,088	T1-7-94
T1-7-77	689,181	1,113,946	675,643
T1-7-78	688,875	1,113,877	
T1-7-78A	688,251	1,113,654	Description of Location of Point
T1-7-78B	688,240	1,113,576	Number Ti-7-94: A point near the north end of
T1-7-79	688,088	1,113,584	the headlands on the north side of Maxwell Point
T1-7-80	688,103	1,113,499	located in section 24 of township 1 south, range
T1-7-81	686,504	1,112,939	11 west of the Willamette Meridian in Tillamook
T1-7-82	686,060	1,112,666	County
T1-7-83	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

T1-7-84	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

T1-7-85	679,740	1,110,651
T1-7-86	679,286	1,110,648
T1-7-87	677,505	1,110,400
T1-7-88	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

T1-7-89	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

T1-7-90	676,630	1,110,189
T1-7-91	676,425	1,110,168
T1-7-92	676,188	1,110,063
T1-7-93	675,777	1,109,741
T1-7-94	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

T1-7-95	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

T1-7-96	675,441	1,109,359
T1-7-97	675,010	1,109,250
T1-7-98	674,787	1,109,383
T1-7-99	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

T1-7-100	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-7-105	671,227	1,110,895
Ti-7-106	670,370	1,111,117
Ti-7-107	670,090	1,111,168
Ti-7-108	669,605	1,111,341
Ti-7-109	668,224	1,111,600
Ti-7-110	667,215	1,112,239
Ti-7-111	666,578	1,112,749
Ti-7-112	666,252	1,112,937
Ti-7-112A	665,808	1,113,364
Ti-7-112B	665,466	1,113,850
Ti-7-113	662,710	1,113,335

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 Lookout 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-7-145	600,384	1,108,160
Ti-7-146	597,511	1,107,747
Ti-7-147	596,001	1,107,589
Ti-7-148	595,439	1,107,538
Ti-7-149	595,111	1,107,567
Ti-7-150	594,576	1,107,360
Ti-7-151	593,266	1,107,033
Ti-7-152	592,923	1,106,907
Ti-7-153	592,375	1,106,812
Ti-7-154	592,043	1,106,723
Ti-7-155	591,495	1,106,642
Ti-7-156	591,069	1,106,555
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

Ti-7-184	563,870	1,105,586
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Description of Location of Point Number Ti-7-184: A point near the south end of the Nestucca Bay sand spit located in section 1 of township 5 south, range 11 west of the Willamette Meridian in Tillamook County

Ti-7-185	563,121	1,105,422
Ti-7-186	562,775	1,105,342
Ti-7-187	562,449	1,104,966
Ti-7-188	562,278	1,104,854
Ti-7-189	561,494	1,104,672
Ti-7-190	561,308	1,104,578
Ti-7-191	560,941	1,104,548
Ti-7-192	560,790	1,104,497
Ti-7-193	560,754	1,104,397
Ti-7-194	560,593	1,104,376
Ti-7-195	560,372	1,104,290
Ti-7-196	560,241	1,104,283
Ti-7-197	560,241	1,104,363
Ti-7-198	560,165	1,104,416
Ti-7-199	559,565	1,104,234
Ti-7-200	558,914	1,104,283
Ti-7-201	558,132	1,104,133
Ti-7-202	557,720	1,104,136
Ti-7-203	557,416	1,104,200
Ti-7-204	557,271	1,104,163
Ti-7-205	557,145	1,104,234
Ti-7-206	556,767	1,104,137
Ti-7-207	556,598	1,103,953
Ti-7-208	556,495	1,103,660
Ti-7-209	556,206	1,103,587
Ti-7-210	555,796	1,103,647
Ti-7-210A	555,558	1,103,839
Ti-7-210B	555,399	1,103,485
Ti-7-211	555,268	1,103,430
Ti-7-212	555,080	1,103,479
Ti-7-213	554,132	1,103,160
Ti-7-214	553,822	1,103,024
Ti-7-215	552,907	1,103,002
Ti-7-216	552,509	1,102,822
Ti-7-217	552,330	1,102,906
Ti-7-218	552,144	1,102,790
Ti-7-219	551,268	1,102,583
Ti-7-220	550,789	1,102,443
Ti-7-221	550,365	1,102,446
Ti-7-222	550,132	1,102,342
Ti-7-223	549,616	1,102,223
Ti-7-224	549,021	1,102,086

Ti-7-225	548,515	1,102,174
Ti-7-226	548,045	1,101,928
Ti-7-227	547,650	1,101,841
Ti-7-228	547,137	1,101,762
Ti-7-229	546,721	1,101,592
Ti-7-230	546,598	1,101,590
Ti-7-231	546,179	1,101,457
Ti-7-232	545,927	1,101,496
Ti-7-233	545,736	1,101,282
Ti-7-234	545,227	1,101,182
Ti-7-234A	544,521	1,100,882
Ti-7-235	544,030	1,100,781
Ti-7-236	543,486	1,100,741
Ti-7-237	543,049	1,100,540
Ti-7-238	542,679	1,100,713
Ti-7-239	542,576	1,100,809
Ti-7-239A	542,571	1,100,910
Ti-7-239B	542,633	1,100,971
Ti-7-239C	542,222	1,101,135
Ti-7-240	541,526	1,100,550
Ti-7-241	541,447	1,100,496
Ti-7-242	541,422	1,100,430
Ti-7-243	540,945	1,100,110
Ti-7-244	540,457	1,100,012
Ti-7-245	540,099	1,099,832
Ti-7-246	539,845	1,099,625
Ti-7-247	539,847	1,099,586
Ti-7-248	539,744	1,099,482
Ti-7-249	539,703	1,099,466

Description of Location of Point Number Ti-7-249: A point near the north end of the headlands on the north side of Cascade Head located in section 35 of township 5 south, range 11 west of the Willamette Meridian in Tillamook County

Ti-7-250	523,326	1,094,861
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Description of Location of Point Number Ti-7-250: A point near the east end of the headlands on the south side of Cascade Head located in section 14 of township 6 south, range 11 west of the Willamette Meridian in Tillamook County

Ti-7-250A	522,807	1,095,300
Ti-7-250B	522,247	1,095,417
Ti-7-251	522,189	1,095,089
Ti-7-252	521,960	1,094,886
Li-7-1	521,877	1,094,819

Description of Location of Point Number Li-7-1: A point near the Tillamook-Lincoln county line

Li-7-2	519,691	1,094,773
Li-7-2A	519,502	1,094,647

Description of Location of Point Number Li-7-2A: A point near the north end of

the headlands at the south end of the sand 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-7-3 519,537 1,094,519

Description of Location of Point Number Li-7-3: A point near the southwest end of the headlands at the south end of the sand 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

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

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

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

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	Li-7-166	430,584	1,073,460
<p>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</p>			<p>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</p>		
Li-7-152	450,196	1,079,877	Li-7-166A	430,612	1,073,565
Li-7-153	450,126	1,079,731	Li-7-166B	430,470	1,073,776
Li-7-154	450,167	1,079,513	Li-7-166C	430,518	1,073,943
<p>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</p>			Li-7-167	430,432	1,074,035
			Li-7-167A	430,274	1,074,000
<p>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</p>			<p>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</p>		
Li-7-155	449,614	1,079,632	Li-7-168	416,791	1,074,778
<p>Description of Location of Point Number Li-7-156: 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</p>			<p>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</p>		
Li-7-156	449,234	1,079,367	Li-7-169	416,481	1,074,645
Li-7-157	448,636	1,079,264	Li-7-170	416,355	1,074,507
Li-7-158	448,598	1,079,333	<p>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</p>		
Li-7-159	448,314	1,079,308	Li-7-171	415,895	1,074,529
Li-7-160	448,214	1,079,378	<p>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</p>		
Li-7-161	448,095	1,079,385	Li-7-172	415,863	1,074,660
<p>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</p>			Li-7-173	415,268	1,074,655
Li-7-162	447,462	1,079,064	Li-7-174	414,849	1,074,703
<p>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</p>			Li-7-175	414,615	1,074,584
Li-7-163	447,359	1,078,881	Li-7-176	414,600	1,074,476
Li-7-164	447,289	1,078,862	<p>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</p>		
Li-7-165	447,192	1,078,622			
<p>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</p>					

PARKS; RECREATION; WATERWAYS; TRAILS

390.770

Li-7-177	413,971	1,075,294	Li-7-213	389,069	1,071,264
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-7-214	388,955	1,071,051
Li-7-178	413,506	1,075,645	Li-7-215	388,946	1,070,768
Li-7-179	412,961	1,075,950	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-7-180	412,559	1,076,104	Li-7-216	387,772	1,073,534
Li-7-181	411,922	1,076,232	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-7-182	411,277	1,076,281	Li-7-217	387,563	1,073,912
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-7-218	387,386	1,074,085
Li-7-183	398,161	1,074,515	Li-7-219	387,128	1,074,260
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-7-220	386,676	1,074,440
Li-7-184	397,774	1,074,441	Li-7-221	386,012	1,074,651
Li-7-185	397,597	1,074,358	Li-7-222	385,108	1,074,857
Li-7-186	397,330	1,074,317	Li-7-223	384,494	1,074,912
Li-7-187	397,266	1,074,257	Li-7-223A	384,156	1,074,959
Li-7-188	397,004	1,074,240	Li-7-224	383,966	1,075,015
Li-7-189	396,996	1,074,177	Li-7-225	383,702	1,075,148
Li-7-190	396,723	1,074,107	Li-7-226	383,577	1,075,050
Li-7-191	396,479	1,074,084	Li-7-227	383,213	1,074,990
Li-7-192	396,049	1,073,960	Li-7-228	382,719	1,074,996
Li-7-193	396,026	1,073,913	Li-7-229	382,476	1,075,069
Li-7-194	395,585	1,073,817	Li-7-230	382,105	1,075,222
Li-7-195	395,339	1,073,746	Li-7-231	382,036	1,075,230
Li-7-195A	395,290	1,073,652	Li-7-232	381,708	1,074,913
Li-7-195B	395,205	1,073,696	Li-7-233	381,443	1,074,806
Li-7-196	395,015	1,073,632	Li-7-234	380,262	1,074,523
Li-7-197	394,516	1,073,514	Li-7-235	379,963	1,074,392
Li-7-198	394,167	1,073,394	Li-7-236	379,795	1,074,402
Li-7-199	393,827	1,073,198	Li-7-237	379,148	1,074,225
Li-7-200	393,720	1,073,104	Li-7-238	378,944	1,074,198
Li-7-201	393,129	1,073,076	Li-7-239	378,034	1,074,043
Li-7-202	392,896	1,073,021	Li-7-240	377,914	1,073,941
Li-7-203	392,787	1,072,999	Li-7-241	377,641	1,073,892
Li-7-204	392,709	1,072,972	Li-7-242	377,310	1,073,746
Li-7-205	392,212	1,072,892	Li-7-243	377,291	1,073,577
Li-7-206	391,492	1,072,659	Li-7-243A	377,167	1,073,496
Li-7-207	391,328	1,072,630	Li-7-243B	377,031	1,073,571
Li-7-208	390,819	1,072,450	Li-7-244	376,880	1,073,574
Li-7-209	390,258	1,072,167	Li-7-245	376,584	1,073,490
Li-7-210	390,118	1,072,149	Li-7-246	375,537	1,073,472
Li-7-211	389,984	1,072,013	Li-7-247	375,067	1,073,373
Li-7-212	389,313	1,071,566	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	of township 12 south, range 11 west of the
Li-7-254	374,016	1,072,856	Willamette Meridian in Lincoln County
Li-7-255	373,826	1,072,845	
Li-7-256	373,821	1,072,880	Li-7-294
Li-7-257	373,184	1,072,824	339,166
Li-7-258	373,116	1,072,886	1,068,589
Li-7-259	372,539	1,072,719	Description of Location of Point
Li-7-260	372,411	1,072,706	Number Li-7-294: A point near the south
Li-7-261	371,864	1,072,554	boundary of Lost Creek Park located in section 7
Li-7-262	371,541	1,072,396	of township 12 south, range 11 west of the
Li-7-263	370,453	1,072,227	Willamette Meridian in Lincoln County
Li-7-264	369,991	1,072,262	Li-7-295
Li-7-265	369,852	1,072,347	337,635
Li-7-266	369,368	1,072,602	1,068,437
Li-7-266A	368,949	1,073,035	Li-7-295A
Li-7-267	367,806	1,072,273	337,344
Li-7-268	365,746	1,071,373	1,068,375
Li-7-269	365,649	1,071,378	Li-7-296
			336,132
			1,068,226

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-7-357	293,610	1,064,140
Li-7-316	322,532	1,065,529	Description of Location of Point		
Li-7-317	322,312	1,065,480	Number Li-7-357: A point near the north		
Li-7-318	321,532	1,065,461	boundary of Governor Patterson Memorial Park		
Li-7-319	321,414	1,065,298	located in section 25 of township 13 south, range		
Li-7-320	321,226	1,065,448	12 west of the Willamette Meridian in Lincoln		
Li-7-321	320,971	1,065,448	County		
Li-7-321A	320,492	1,065,294	Li-7-358	289,703	1,063,527
Li-7-322	320,154	1,065,308	Description of Location of Point		
Li-7-323	319,976	1,065,381	Number Li-7-358: A point near the south		
Li-7-324	319,830	1,065,333	boundary of Governor Patterson Memorial Park		
Li-7-325	319,653	1,065,141	located in section 25 of township 13 south, range		
Description of Location of Point			12 west of the Willamette Meridian in Lincoln		
Number Li-7-325: A point near the north end			County		
of the headlands north of Squaw Creek located in					
section 36 of township 12 south, range 12 west of			Li-7-359	289,041	1,063,368
the Willamette Meridian in Lincoln County			Li-7-360	288,797	1,063,355
Li-7-326	319,285	1,065,020	Li-7-361	288,639	1,063,301
Description of Location of Point			Li-7-362	288,337	1,063,295
Number Li-7-326: A point near the south end			Li-7-363	288,294	1,063,262
of the headlands, north of Squaw Creek located in			Li-7-364	287,261	1,063,041
section 36 of township 12 south, range 12 west of			Li-7-365	286,718	1,062,961
the Willamette Meridian in Lincoln County			Li-7-366	286,312	1,062,836
Li-7-327	319,254	1,065,127	Li-7-367	286,113	1,062,831
Li-7-328	319,017	1,065,300	Li-7-368	286,084	1,062,893
Li-7-329	318,684	1,065,368	Li-7-369	285,824	1,062,895
Li-7-330	318,039	1,065,567	Li-7-370	285,212	1,062,781
Li-7-331	317,962	1,065,616	Li-7-371	285,027	1,062,709
Li-7-332	317,553	1,065,733	Li-7-372	284,609	1,062,608
Li-7-333	316,986	1,065,786	Li-7-373	284,253	1,062,595
Li-7-334	316,190	1,065,631	Li-7-374	283,650	1,062,426
Li-7-335	315,455	1,065,643	Li-7-375	283,530	1,062,418
Li-7-336	313,346	1,065,757	Li-7-376	283,344	1,062,3
Li-7-337	312,115	1,065,744	Li-7-377	283,033	1,062,3
Li-7-338	310,799	1,065,676	Description of Location of Point		
Li-7-339	310,624	1,065,655	Number Li-7-377: A point near the north		
Li-7-340	307,274	1,065,368	boundary of Beachside State Park located in		
Li-7-341	306,081	1,065,272	section 2 of township 14 south, range 12 west of		
Li-7-342	303,876	1,065,014	the Willamette Meridian in Lincoln County		
Li-7-342A	302,717	1,064,861	Li-7-378	280,579	1,062,025
Li-7-343	302,009	1,064,789	Description of Location of Point		
Li-7-344	300,597	1,064,626	Number Li-7-378: A point near the south		
Li-7-344A	299,559	1,064,546	boundary of Beachside State Park located in		
Li-7-345	298,873	1,064,546	section 2 of township 14 south, range 12 west of		
Li-7-346	298,361	1,064,661	the Willamette Meridian in Lincoln County		
Li-7-347	297,708	1,064,983			
Li-7-348	297,499	1,065,264	Li-7-379	280,316	1,061,896
Li-7-349	297,441	1,065,520	Li-7-380	280,153	1,061,959
Li-7-350	297,481	1,065,745	Li-7-381	279,897	1,062,221
Li-7-351	295,474	1,065,819	Li-7-382	279,810	1,062,238
Li-7-352	295,365	1,065,659	Li-7-383	279,471	1,062,184
Li-7-353	295,135	1,065,187	Li-7-384	279,189	1,062,025
Li-7-354	294,851	1,064,836	Li-7-385	279,000	1,061,989
Li-7-355	294,333	1,064,433	Li-7-386	278,590	1,061,901
Li-7-356	293,843	1,064,235			

Li-7-387	278,530	1,061,890	Li-7-436	263,387	1,058,531
Li-7-388	278,422	1,061,867	Li-7-437	263,394	1,058,454
Li-7-389	278,397	1,061,861	Li-7-438	262,996	1,058,341
Li-7-390	277,667	1,061,718	Li-7-439	262,881	1,058,246
Li-7-391	277,519	1,061,667	Description of Location of Point		
Li-7-392	277,394	1,061,450	Number Li-7-439: A point near the north end		
Li-7-393	277,109	1,061,300	of the headlands north of Yachats Park and near		
Li-7-394	276,930	1,061,241	the section line located between sections 22 and		
Li-7-395	276,633	1,061,214	23 of township 14 south, range 12 west of the		
Li-7-396	276,485	1,061,088	Willamette Meridian in Lincoln County		
Li-7-396A	275,876	1,061,042			
Li-7-397	275,149	1,060,896	Oregon Coordinate System		
Li-7-398	274,953	1,060,869	Point south zone		
Li-7-399	274,824	1,060,797	Point		
Li-7-400	274,004	1,060,607	Number	y-coordinate	x-coordinate
Li-7-401	273,342	1,060,521	La-7-1	960,236	1,053,478
Li-7-402	273,123	1,060,462	Description of Location of Point		
Li-7-403	272,973	1,060,462	Number La-7-1: A point near the south end of		
Li-7-403A	272,878	1,060,433	the headlands on the south side of Gwynn Knoll		
Li-7-403B	272,896	1,060,393	located in section 22 of township 15 south, range		
Li-7-403C	272,820	1,060,374	12 west of the Willamette Meridian in Lane		
Li-7-403D	272,830	1,060,421	County		
Li-7-404	272,651	1,060,364			
Li-7-405	272,426	1,060,299	La-7-2	960,110	1,053,668
Li-7-406	272,203	1,060,283	La-7-3	960,163	1,053,738
Li-7-407	272,128	1,060,234	La-7-4	960,041	1,053,854
Li-7-408	271,948	1,060,204	La-7-5	959,932	1,053,768
Li-7-409	271,876	1,060,227	La-7-6	959,694	1,053,879
Li-7-410	271,776	1,060,205	La-7-7	959,392	1,053,887
Li-7-411	271,517	1,060,175	La-7-8	959,274	1,053,935
Li-7-412	271,384	1,060,219	La-7-9	959,124	1,053,946
Li-7-413	271,248	1,060,129	Description of Location of Point		
Li-7-414	271,079	1,060,107	Number La-7-9: A point near the north bound-		
Li-7-415	270,975	1,060,035	ary of property owned through the Oregon		
Li-7-416	270,235	1,059,912	Department of Transportation located in section		
Li-7-417	270,078	1,059,800	22 of township 15 south, range 12 west of the		
Li-7-418	269,654	1,059,845	Willamette Meridian in Lane County		
Li-7-418A	269,628	1,059,780			
Li-7-418B	269,456	1,059,849	La-7-10	956,771	1,054,162
Li-7-419	269,109	1,059,861	Description of Location of Point		
Li-7-420	268,340	1,059,611	Number La-7-10: A point near the south		
Li-7-421	268,199	1,059,621	boundary of property owned through the Oregon		
Li-7-422	267,680	1,059,493	Department of Transportation located in section		
Li-7-423	266,984	1,059,424	27 of township 15 south, range 12 west of the		
Li-7-424	266,886	1,059,446	Willamette Meridian in Lane County		
Li-7-424A	266,752	1,059,348			
Li-7-425	266,663	1,059,404	La-7-11	955,775	1,054,039
Li-7-426	266,507	1,059,260	La-7-12	955,642	1,053,985
Li-7-427	266,377	1,059,159	La-7-13	955,236	1,053,955
Li-7-428	266,168	1,059,124	La-7-14	954,367	1,053,807
Li-7-429	265,966	1,059,257	La-7-15	954,094	1,053,672
Li-7-430	265,666	1,059,094	La-7-16	953,534	1,053,686
Li-7-430A	265,602	1,058,965	La-7-17	953,374	1,053,714
Li-7-431	265,475	1,058,904	La-7-18	953,268	1,053,882
Li-7-432	264,325	1,058,737	La-7-19	953,186	1,053,909
Li-7-433	263,983	1,058,615	Description of Location of Point		
Li-7-434	263,577	1,058,506	Number La-7-19: A point near the north		
Li-7-435	263,465	1,058,519			

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

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

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

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-7-125	885,268	1,045,288
La-7-86	933,430	1,051,561	La-7-126	884,851	1,045,219
La-7-87	933,065	1,051,551	La-7-127	884,298	1,045,109
Description of Location of Point			La-7-128	883,971	1,045,099
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-7-129	883,618	1,044,947
La-7-88	909,858	1,048,853	La-7-130	882,889	1,044,796
Description of Location of Point			La-7-131	881,414	1,044,485
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-7-132	880,567	1,044,279
La-7-89	909,719	1,048,996	La-7-133	880,258	1,044,200
La-7-90	909,664	1,048,883	La-7-134	879,601	1,044,022
La-7-91	909,526	1,048,892	La-7-135	879,061	1,043,864
La-7-91A	909,413	1,048,940	La-7-136	877,970	1,043,710
La-7-91B	909,303	1,048,919	Description of Location of Point		
La-7-91C	909,322	1,048,991	Number La-7-136: A point near the north jetty of the mouth of the Siuslaw River		
La-7-92	909,257	1,049,026	La-7-137	876,020	1,044,784
La-7-93	909,074	1,049,036	La-7-138	875,946	1,044,582
La-7-94	907,411	1,048,835	La-7-139	875,798	1,044,454
La-7-95	907,100	1,048,756	La-7-140	875,347	1,044,280
La-7-96	906,424	1,048,703	La-7-141	874,460	1,044,140
La-7-97	905,548	1,048,854	La-7-142	873,380	1,044,014
La-7-97A	905,279	1,048,958	La-7-143	871,882	1,043,709
La-7-98	905,035	1,048,753	La-7-144	870,976	1,043,613
La-7-99	904,794	1,048,582	La-7-145	869,960	1,043,487
La-7-100	904,606	1,048,539	La-7-146	868,997	1,043,351
La-7-101	903,666	1,048,343	La-7-146A	868,331	1,043,221
La-7-102	902,600	1,048,245	La-7-147	867,514	1,043,108
La-7-103	900,865	1,047,986	La-7-148	866,180	1,042,880
La-7-104	900,172	1,048,219	La-7-149	865,019	1,042,725
La-7-105	900,135	1,048,025	La-7-150	864,002	1,042,561
La-7-106	898,793	1,047,704	La-7-151	862,115	1,042,273
La-7-107	896,883	1,047,391	La-7-152	861,496	1,042,182
La-7-108	895,796	1,047,214	La-7-153	860,271	1,042,026
La-7-109	895,503	1,047,145	La-7-154	858,490	1,041,748
La-7-110	894,613	1,046,918	La-7-155	857,800	1,041,633
La-7-111	893,579	1,046,676	La-7-156	856,103	1,041,383
La-7-112	892,821	1,046,624	La-7-157	855,358	1,041,303
La-7-113	892,155	1,046,581	La-7-158	854,148	1,041,117
La-7-114	891,073	1,046,419	La-7-159	851,830	1,040,768
La-7-115	890,910	1,046,252	La-7-160	851,635	1,040,748
La-7-116	890,458	1,046,195	La-7-161	851,199	1,040,880
La-7-117	890,028	1,046,095	La-7-162	851,021	1,040,865
La-7-118	888,538	1,045,834	La-7-163	850,800	1,040,648
La-7-119	888,055	1,045,774	La-7-164	850,355	1,040,527
La-7-120	887,644	1,045,690	La-7-164A	849,124	1,040,339
La-7-121	887,261	1,045,648	La-7-165	848,907	1,040,274
La-7-122	886,717	1,045,523	La-7-166	848,749	1,040,273
La-7-123	886,285	1,045,460	La-7-167	846,808	1,039,954
La-7-124	885,473	1,045,302	La-7-168	846,243	1,039,937
			La-7-169	845,809	1,040,006
			La-7-170	845,602	1,039,776
			La-7-171	844,723	1,039,621
			La-7-172	843,639	1,039,444
			La-7-173	842,820	1,039,311
			La-7-174	842,031	1,039,177
			La-7-175	841,270	1,039,078
			La-7-176	840,452	1,038,871

La-7-176A	840,031	1,038,859	Do-8-27	799,332	1,031,776
La-7-177	839,240	1,038,737	Do-8-28	798,240	1,031,548
La-7-178	838,171	1,038,563	Do-8-29	796,771	1,031,277
La-7-179	837,525	1,038,441	Do-8-30	795,799	1,031,068
La-7-179A	836,715	1,038,307	Do-8-31	793,989	1,030,720
La-7-180	835,043	1,038,003	Do-8-32	793,169	1,030,524
La-7-181	834,753	1,037,958	Do-8-33	792,296	1,030,361
La-7-182	833,479	1,037,720	Do-8-34	791,423	1,030,178
La-7-183	832,528	1,037,580	Do-8-35	790,919	1,030,056
La-7-184	831,085	1,037,370	Do-8-36	789,882	1,029,848
La-7-185	829,836	1,037,172	Do-8-37	788,423	1,029,555
La-7-186	828,519	1,037,020	Do-8-38	787,010	1,029,259
La-8-187	828,149	1,037,039	Do-8-39	784,545	1,028,739
La-8-188	828,028	1,037,333	Do-8-40	784,212	1,028,670
La-8-189	827,347	1,038,019	Do-8-41	782,268	1,028,202
La-8-190	827,070	1,037,974	Do-8-42	781,537	1,028,084
La-8-191	826,655	1,037,788	Do-8-43	780,887	1,027,942
La-8-191A	825,980	1,037,568	Do-8-44	780,531	1,028,022
La-8-192	825,744	1,036,688	Do-8-45	779,988	1,028,136
La-8-193	824,767	1,036,500	Do-8-46	778,886	1,027,543
La-8-194	823,832	1,036,281	Do-8-47	777,876	1,027,263
La-8-195	823,335	1,036,182	Do-8-48	777,208	1,027,140
La-8-196	822,001	1,035,914	Do-8-49	774,943	1,026,545
Do-8-1	821,695	1,035,859	Do-8-50	774,246	1,026,386
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 Meridian in Lane and Douglas Counties			Do-8-51	773,335	1,026,124
			Do-8-52	772,554	1,025,924
			Do-8-52A	772,330	1,025,872
			Do-8-53	771,860	1,025,808
			Do-8-54	771,055	1,025,594
			Do-8-55	770,024	1,025,340
			Do-8-56	768,746	1,025,005
			Do-8-57	766,998	1,024,590
			Do-8-58	766,108	1,024,358
			Do-8-59	765,636	1,024,230
Do-8-60	763,627	1,023,692			
Do-8-61	762,742	1,023,429			
Do-8-62	761,684	1,023,139			
Do-8-63	758,957	1,022,333			
Do-8-64	758,469	1,022,210			
Do-8-65	758,121	1,022,053			
Do-8-66	757,279	1,021,800			
Do-8-67	757,020	1,021,839			
Do-8-68	756,836	1,021,696			
Do-8-69	755,763	1,021,249			
Do-8-70	755,026	1,021,008			
Do-8-71	754,298	1,020,903			
Do-8-72	753,767	1,020,697			
Do-8-73	753,439	1,020,545			
Do-8-74	752,951	1,020,747			
Do-8-75	751,017	1,020,655			
Do-8-75A	750,243	1,021,078			
Do-8-76	749,488	1,020,210			
Do-8-77	748,443	1,019,383			
Do-8-78	747,158	1,019,192			
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			Do-8-2	820,707	1,035,660
			Do-8-3	818,732	1,035,340
			Do-8-4	817,872	1,035,166
			Do-8-5	817,052	1,035,024
			Do-8-6	816,253	1,034,884
			Do-8-7	815,512	1,034,746
			Do-8-8	814,959	1,034,666
			Do-8-9	813,504	1,034,423
Do-8-10	812,595	1,034,229			
Do-8-11	811,225	1,033,996			
Do-8-12	810,555	1,033,850			
Do-8-13	810,122	1,033,783			
Do-8-14	808,867	1,033,554			
Do-8-15	807,868	1,033,385			
Do-8-16	807,337	1,033,283			
Do-8-17	806,927	1,033,221			
Do-8-18	806,152	1,033,077			
Do-8-19	805,778	1,032,988			
Do-8-20	804,851	1,032,861			
Do-8-21	804,260	1,032,873			
Do-8-22	803,681	1,032,658			
Do-8-23	803,506	1,032,786			
Do-8-23A	802,770	1,033,337			
Do-8-23B	802,137	1,033,220			
Do-8-23C	801,728	1,032,555			
Do-8-24	801,155	1,032,391			
Do-8-25	801,044	1,032,207			
Do-8-26	800,846	1,032,132			

13 west of the Willamette Meridian in Douglas County			Co-8-45	669,759	995,885
			Co-8-46	668,425	995,336
			Co-8-47	667,825	995,122
Do-8-79	730,871	1,016,121	Co-8-48	667,544	994,955
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-8-49	666,205	994,292
			Co-8-50	665,970	994,225
			Co-8-51	663,013	992,854
			Co-8-52	660,734	991,795
			Co-8-53	660,069	991,533
			Co-8-54	659,389	991,150
			Co-8-55	657,728	990,366
			Co-8-56	655,235	989,141
			Co-8-57	654,440	988,702
Co-8-1	729,664	1,015,856	Co-8-58	653,488	988,250
Co-8-2	728,936	1,015,655	Co-8-59	652,480	987,700
Co-8-3	728,728	1,015,623	Co-8-60	651,099	986,981
Co-8-4	727,826	1,015,377	Co-8-61	649,414	986,081
Co-8-5	727,278	1,015,258	Co-8-62	646,358	984,352
Co-8-6	724,915	1,014,674	Co-8-63	645,749	984,047
Co-8-7	724,626	1,014,580	Co-8-64	644,099	983,026
Co-8-8	723,853	1,014,368	Co-8-65	642,023	981,695
Co-8-9	722,394	1,014,019	Co-8-66	640,681	980,828
Co-8-10	721,343	1,013,724	Co-8-67	640,057	980,293
Co-8-11	721,060	1,013,669	Co-8-68	639,692	980,219
Co-8-12	719,776	1,013,295	Co-8-69	639,520	980,356
Co-8-13	717,976	1,012,819	Co-7-70	636,896	979,344
Co-8-14	715,485	1,012,136	Co-7-70A	636,614	978,908
Co-8-15	714,775	1,011,970	Co-7-71	636,922	978,633
Co-8-16	713,885	1,011,759	Co-7-72	636,010	977,777
Co-8-17	712,681	1,012,474	Co-7-73	635,625	977,638
Co-8-17A	711,651	1,012,064	Co-7-74	635,393	977,275
Co-8-18	711,490	1,011,380	Co-7-75	635,195	977,077
Co-8-19	711,287	1,011,067	Co-7-76	634,936	976,733
Co-8-20	710,228	1,010,672	Co-7-77	634,587	976,559
Co-8-21	708,950	1,010,242	Co-7-77A	633,981	976,264
Co-8-22	707,341	1,009,727	Co-7-77B	633,953	975,963
Co-8-23	705,667	1,009,233	Co-7-77C	634,143	975,869
Co-8-24	703,750	1,008,601	Co-7-78	634,233	975,610
Co-8-25	702,084	1,008,068	Co-7-79	634,204	975,372
Co-8-26	699,008	1,007,083	Co-7-79A	633,977	974,584
Co-8-27	697,448	1,006,514	Co-7-79B	634,194	974,479
Co-8-28	696,206	1,006,090	Co-7-80	633,898	974,424
Co-8-29	694,708	1,005,610	Co-7-81	633,817	974,344
Co-8-30	693,103	1,005,043	Co-7-82	633,937	974,077
Co-8-31	692,077	1,004,650	Description of Location of Point Number Co-7-82: A point near the southeast end of the headlands on the east side of Yoakam Point located in section 4 of township 26 south, range 14 west of the Willamette Meridian in Coos County		
Co-8-32	689,886	1,003,889	Co-7-83	634,269	973,615
Co-8-33	688,877	1,003,573	Description of Location of Point Number Co-7-83: A point near the southwest end of the headlands, on the west side of Yoakam Point located in section 4 of township 26 south, range 14 west of the Willamette Meridian in Coos County		
Co-8-34	687,552	1,003,019			
Co-8-35	686,230	1,002,532			
Co-8-36	685,486	1,002,304			
Co-8-37	683,518	1,001,517			
Co-8-38	680,557	1,000,380			
Co-8-39	679,698	1,000,075			
Co-8-40	677,930	999,320			
Co-8-41	674,944	998,128			
Co-8-42	673,411	997,493			
Co-8-43	672,373	997,031			
Co-8-44	671,467	996,694			

Co-7-83A	634,082	973,601	Co-7-119	606,877	966,722
Co-7-83B	634,289	973,472	Co-7-120	606,760	966,652
Co-7-84	634,156	973,500	Co-7-121	606,645	966,613
Co-7-84A	634,031	973,422	Co-7-122	606,027	966,290
Co-7-84B	634,050	973,330	Co-7-123	605,748	966,226
Co-7-85	633,855	973,285	Co-7-124	605,182	966,033
Co-7-86	633,965	973,139	Co-7-125	604,655	965,906
Co-7-87	633,851	973,103	Co-7-126	604,515	965,555
Co-7-88	633,629	972,839	Co-7-127	603,978	965,298
Co-7-89	633,570	972,661	Co-7-128	603,724	965,369
Co-7-90	633,630	972,588	Co-7-129	603,649	965,469
Co-7-91	633,486	972,500	Co-7-130	603,508	965,465
Co-7-92	633,544	972,414	Co-7-131	603,389	965,537
Co-7-93	633,427	972,406	Co-7-132	603,221	965,503
Co-7-94	633,376	972,209	Co-7-133	602,888	965,575
Co-7-95	633,447	972,128	Co-7-134	602,650	965,425
Co-7-96	633,292	972,073	Co-7-135	602,087	965,206
Co-7-97	633,295	971,922	Co-7-136	601,893	965,185
Co-7-97A	633,239	971,731	Co-7-137	601,186	964,997
Co-7-98	633,169	971,619	Co-7-138	601,067	964,893
Co-7-98A	633,192	971,580	Co-7-139	601,021	964,797
Co-7-99	633,177	971,464	Co-7-140	600,922	964,740
Co-7-100	633,123	971,298	Co-7-141	600,470	964,612
Co-7-101	633,133	971,239	Co-7-142	600,455	964,661
Co-7-102	633,087	971,152	Co-7-142A	600,071	964,652
Co-7-102A	633,117	971,076	Co-7-142B	599,897	964,617
Co-7-103	633,119	970,748	Co-7-143	599,738	964,644
Co-7-103A	633,157	970,678	Co-7-144	598,717	964,387
Co-7-104	633,149	970,563	Co-7-145	597,922	964,202
Co-7-105	633,202	970,551	Co-7-146	596,609	963,901
Co-7-106	633,180	970,465	Description of Location of Point		
Co-7-107	633,184	970,383	Number Co-7-146: A point near the north		
Co-7-108	633,262	970,330	boundary of Seven Devils Ocean Wayside located		
Co-7-109	633,209	970,234	in section 17 of township 27 south, range 14 west		
Co-7-110	633,279	970,284	of the Willamette Meridian in Coos County		
Co-7-111	633,340	970,280	Co-7-147	595,213	963,487
Description of Location of Point			Description of Location of Point		
Number Co-7-111: A point near the southeast			Number Co-7-147: A point near the south		
end of the headlands on the east side of Gregory			boundary of Seven Devils Ocean Wayside located		
Point located in section 4 of township 26 south,			in section 17 of township 27 south, range 14 west		
range 14 west of the Willamette Meridian in Coos			of the Willamette Meridian in Coos County		
County			Co-7-148	594,314	963,289
Co-7-112	608,676	966,967	Co-7-149	594,046	963,201
Description of Location of Point			Co-7-150	593,895	963,182
Number Co-7-112: A point near the headlands			Co-7-151	593,779	963,097
at the north end of Sacchi Beach located in			Co-7-152	593,565	963,103
section 32 of township 26 south, range 14 west of			Co-7-153	593,028	962,935
the Willamette Meridian in Coos County			Co-7-154	592,633	962,887
Co-7-113	608,553	967,076	Co-7-155	591,719	962,643
Co-7-114	608,289	967,090	Co-7-156	590,974	962,354
Co-7-115	608,179	967,050	Co-7-157	590,518	962,076
Co-7-116	607,903	967,103	Co-7-158	590,387	961,812
Co-7-117	607,628	966,995	Co-7-159	590,082	962,020
Co-7-118	607,410	966,934	Co-7-160	589,739	962,163
			Co-7-161	589,390	962,214

Co-7-162	589,181	962,122	the section line between section 35 and section 36
Co-7-163	589,030	962,216	of township 28 south, range 15 west of the
Co-7-164	588,994	962,326	Willamette Meridian in Coos County
Co-7-165	588,874	962,430	
Co-7-166	588,522	962,518	Co-7-201
Co-7-167	587,762	962,569	548,632
Co-7-168	587,311	962,505	950,177
Co-7-169	586,932	962,514	Description of Location of Point
Co-7-170	584,508	962,011	Number Co-7-201: A point near the south
Co-7-171	584,006	961,931	boundary of Bandon Ocean Wayside located in
Co-7-172	583,067	961,700	section 36 of township 28 south, range 15 west of
Co-7-173	581,949	961,437	the Willamette Meridian in Coos County
Co-7-174	581,179	961,231	Co-7-202
Co-7-175	580,403	961,047	548,492
Co-7-176	577,758	960,367	Co-7-203
Co-7-177	577,356	960,253	548,380
Co-7-178	576,745	960,026	Co-7-204
			548,264
			Co-7-205
			548,254
			Co-7-206
			548,186
			Co-7-207
			548,009
			Co-7-208
			547,406
			Co-7-209
			547,161
			Co-7-210
			546,508
			Co-7-211
			546,006
			Co-7-212
			545,859
			Co-7-213
			545,715
			Co-7-214
			545,628
			Co-7-215
			545,217
			Co-7-216
			545,023
			Co-7-216A
			544,709
			Co-7-217
			544,548
			Co-7-218
			544,373
			Co-7-219
			543,977
			Co-7-220
			543,175
			Co-7-221
			542,945
			Co-7-222
			542,866
			Co-7-223
			542,547
			Co-7-224
			542,416
			Co-7-225
			542,342
			Co-7-226
			542,282
			Co-7-227
			541,931
			Co-7-228
			541,758
			Co-7-229
			541,677
			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
			Description of Location of Point
			Number Co-7-230: A point near the south
			boundary of Bandon State Park located in sec-
			tion 26 of township 29 south, range 15 west of the
			Willamette Meridian in Coos County
			Co-7-231
			519,372
			Co-7-232
			519,139
			Co-7-233
			518,732
			944,584
			944,554
			944,354

Cu-7-46	453,397	912,848	Cu-7-89	445,494	917,383
Cu-7-47	453,307	912,762	Cu-7-90	444,827	917,614
Cu-7-48	453,310	912,692	Cu-7-91	444,440	917,838
Cu-7-49	453,253	912,591	Cu-7-92	444,271	917,881
Cu-7-50	453,180	912,165	Cu-7-93	444,145	918,032
Cu-7-51	453,152	911,780	Cu-7-94	443,659	918,220
Cu-7-52	453,254	911,495	Cu-7-95	443,409	918,340
Cu-7-53	453,326	911,275	Cu-7-96	443,151	918,543
Cu-7-54	453,460	911,156	Cu-7-97	443,003	918,630
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-7-98	442,763	918,949
			Cu-7-99	442,510	919,118
			Cu-7-100	442,270	919,228
			Cu-7-101	441,914	919,360
			Cu-7-102	441,670	919,431
			Cu-7-103	441,460	919,429
			Cu-7-104	441,310	919,539
			Cu-7-105	440,732	919,662
			Cu-7-106	440,669	919,708
			Cu-7-107	440,538	919,741
Cu-7-108	440,220	919,912			
Cu-7-109	439,753	920,115			
Cu-7-110	439,262	920,242			
Cu-7-111	438,471	920,351			
Cu-7-112	438,351	920,385			
Cu-7-113	437,983	920,477			
Cu-7-114	437,654	920,618			
Cu-7-115	437,160	920,983			
Cu-7-115A	436,738	920,855			
Cu-7-115B	436,393	920,841			
Cu-7-115C	435,898	920,940			
Cu-7-116	435,598	920,933			
Cu-7-117	434,950	921,233			
Cu-7-117A	434,721	921,074			
Cu-7-118	434,425	921,091			
Cu-7-119	432,881	920,925			
Cu-7-120	432,240	920,985			
Cu-7-121	431,820	921,030			
Cu-7-122	431,222	921,095			
Cu-7-123	430,698	921,141			
Cu-7-124	429,964	921,198			
Cu-7-125	429,404	921,250			
Cu-7-126	429,064	921,277			
Cu-7-127	428,608	921,329			
Cu-7-128	427,876	921,437			
Cu-7-129	427,588	921,493			
Cu-7-130	427,138	921,552			
Cu-7-131	426,625	921,618			
Cu-7-132	426,249	921,697			
Cu-7-133	425,467	921,779			
Cu-7-134	425,094	921,840			
Cu-7-135	423,993	922,034			
Cu-7-136	422,788	922,252			
Cu-7-137	421,853	922,429			
Cu-7-138	420,941	922,654			
Cu-7-139	420,101	922,802			
Cu-7-140	419,416	922,851			
Cu-7-141	418,960	922,865			
Cu-7-142	418,592	922,781			
Cu-7-55	452,117	910,664			
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-7-108	440,220	919,912
			Cu-7-109	439,753	920,115
			Cu-7-110	439,262	920,242
			Cu-7-111	438,471	920,351
			Cu-7-112	438,351	920,385
			Cu-7-113	437,983	920,477
			Cu-7-114	437,654	920,618
			Cu-7-115	437,160	920,983
			Cu-7-115A	436,738	920,855
			Cu-7-115B	436,393	920,841
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-7-68	450,721	913,517			
Cu-7-69	450,608	913,599			
Cu-7-70	450,540	913,682			
Cu-7-71	450,162	913,972			
Cu-7-72	449,475	914,516			
Cu-7-73	449,417	914,584			
Cu-7-74	449,147	914,805			
Cu-7-75	448,724	915,150			
Cu-7-76	448,634	915,187			
Cu-7-77	448,533	915,272			
Cu-7-78	448,435	915,325			
Cu-7-79	448,362	915,436			
Cu-7-80	448,183	915,529			
Cu-7-81	448,239	915,612			
Cu-7-82	448,020	915,796			
Cu-7-83	447,281	916,347			
Cu-7-84	447,226	916,415			
Cu-7-85	447,003	916,569			
Cu-7-86	446,798	916,723			
Cu-7-87	446,483	916,915			
Cu-7-88	445,956	917,175			

Cu-7-143	418,496	922,860	Cu-7-167D	414,393	932,841
Cu-7-144	418,385	922,891	Cu-7-167E	414,074	933,166
Cu-7-145	418,349	922,984			
Cu-7-146	418,367	923,067			
Cu-7-147	418,201	923,092			
Cu-7-148	418,115	923,013			
Cu-7-149	418,111	922,682			
Cu-7-150	418,049	922,580			
Cu-7-151	417,545	922,553			
Cu-7-152	417,411	922,632			
Cu-7-153	417,264	922,485			
Cu-7-154	417,166	922,469			
Cu-7-155	417,174	922,401			

Description of Location of Point Number Cu-7-155: A point near the north end of the headlands on the north side of The Heads at Port Orford located in section 6 of township 33 south, range 15 west of the Willamette Meridian in Curry County

Cu-7-156	417,164	926,366
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Description of Location of Point Number Cu-7-156: A point near the east end of the headlands at Graveyard Point located in section 5 of township 33 south, range 15 west of the Willamette Meridian in Curry County

Cu-7-157	417,377	926,537
Cu-7-158	417,522	926,867
Cu-7-159	417,575	927,163
Cu-7-160	417,534	927,457
Cu-7-161	417,280	927,591
Cu-7-162	417,293	927,687
Cu-7-163	417,496	927,929
Cu-7-164	417,663	928,027
Cu-7-165	417,684	928,143
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

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	boundary of property owned through the Oregon
Cu-7-194	365,101	950,335	Department of Transportation located in section
Cu-7-195	364,751	950,302	32 of township 34 south, range 14 west of the
Cu-7-196	364,387	950,403	Willamette Meridian in Curry County

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-7-220	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-7-197	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-7-221	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

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

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-7-202	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-7-226	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-7-203	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-7-208	361,510	950,798
Cu-7-209	361,292	950,853
Cu-7-210	361,122	950,953
Cu-7-211	360,606	951,087
Cu-7-212	360,459	951,114
Cu-7-213	360,517	951,183
Cu-7-214	360,450	951,314
Cu-7-215	360,134	951,451
Cu-7-216	360,012	951,442
Cu-7-217	359,587	951,452
Cu-7-218	359,368	951,721
Cu-7-219	359,145	951,794

Description of Location of Point Number Cu-7-219: A point near the north

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
Cu-7-231	351,862	952,627
Cu-7-232	351,477	952,632
Cu-7-232A	350,538	952,721
Cu-7-232B	349,420	952,752
Cu-7-233	349,083	952,680
Cu-7-234	348,478	952,367
Cu-7-234A	348,283	952,216
Cu-7-234B	348,268	952,170
Cu-7-234C	348,210	952,173
Cu-7-234D	348,060	952,066
Cu-7-235	348,028	951,988
Cu-7-235A	347,971	951,987
Cu-7-235B	347,787	951,883

Cu-7-235C	347,785	951,844	Cu-7-260	327,142	943,114
Cu-7-235D	347,741	951,853	Cu-7-261	327,108	943,217
Cu-7-236	347,644	951,774	Cu-7-262	326,970	943,331

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-7-263	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-7-317	310,653	940,806
Cu-7-291	319,871	942,369	Cu-7-318	310,462	940,576
Cu-7-292	319,716	942,455	Cu-7-319	309,914	940,219
Cu-7-293	319,658	942,530	Cu-7-320	309,762	940,223
Cu-7-294	319,339	942,693	Cu-7-321	309,704	940,033
Cu-7-295	318,872	942,734	Cu-7-322	309,061	939,705
Cu-7-296	318,543	942,722	Cu-7-323	308,802	939,615
Cu-7-297	318,142	942,591	Cu-7-324	308,759	939,502
Cu-7-298	318,097	942,673	Cu-7-325	308,405	939,278
Cu-7-299	317,962	942,733	Cu-7-326	307,772	938,993
Cu-7-300	317,655	942,687	Cu-7-327	307,297	938,681
Cu-7-301	317,489	942,581	Cu-7-328	306,432	938,442
Cu-7-302	317,207	942,446	Cu-7-329	305,981	938,395
Cu-7-303	317,083	942,404	Cu-7-330	305,681	938,412
Cu-7-304	316,624	942,415	Cu-7-331	303,769	938,681
Cu-7-305	316,508	942,342	Cu-7-332	303,158	938,841
Cu-7-306	316,249	942,464	Cu-7-333	301,995	939,029
Cu-7-307	316,067	942,452	Cu-7-334	301,380	939,121
Cu-7-308	315,770	942,318	Cu-7-335	300,895	939,188
Cu-7-309	315,502	942,118	Cu-7-336	300,624	939,280
Cu-7-310	315,456	942,061	Cu-7-337	299,561	940,144

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	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-7-311: 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			
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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

the north half of section 18 of township 38 south, range 14 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

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

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-7-402	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

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

Cu-7-433	232,791	945,872	Cu-7-459	176,621	961,227
Cu-7-434	232,500	946,110	Description of Location of Point		
Cu-7-435	232,162	946,219	Number Cu-7-459: A point near the north		
Cu-7-436	231,955	946,251	boundary of property owned through the Oregon		
Cu-7-437	231,935	946,363	Department of Transportation located in section		
Cu-7-438	231,796	946,495	26 of township 40 south, range 14 west of the		
Cu-7-439	231,567	946,582	Willamette Meridian in Curry County		
Cu-7-440	231,481	946,552	Cu-7-460	175,617	962,284

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

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-7-441	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-7-461	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

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

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	13 west of the Willamette Meridian in Curry County
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-7-518 163,660 969,483
Cu-7-496	167,165	967,873	Cu-7-519 163,496 969,623
Cu-7-497	167,182	968,104	Cu-7-520 163,239 969,733
Cu-7-498	167,085	968,102	Cu-7-521 163,141 969,816
Cu-7-499	166,970	967,980	Cu-7-522 162,930 969,884
Cu-7-500	166,890	968,034	Cu-7-523 162,846 970,003
Cu-7-501	166,964	968,161	Cu-7-524 162,822 970,636
Cu-7-502	166,670	968,413	Cu-7-525 162,636 971,054
Cu-7-503	166,255	968,316	Cu-7-526 162,516 971,217
Cu-7-504	166,208	968,417	Cu-7-527 162,288 971,353
Cu-7-505	166,058	968,514	Cu-7-528 162,091 971,398
Cu-7-506	165,819	968,568	Cu-7-529 161,990 971,371
Cu-7-507	165,408	968,579	Cu-7-530 161,846 971,291
Cu-7-508	165,297	968,503	Cu-7-531 161,802 971,399
Cu-7-509	165,316	968,399	Cu-7-532 161,639 971,433
Cu-7-510	165,020	968,444	Cu-7-533 161,413 971,424
Cu-7-511	165,071	968,490	Cu-7-534 161,267 971,363
Cu-7-512	165,053	968,567	Cu-7-535 161,253 971,316
Cu-7-513	164,962	968,643	Cu-7-536 161,058 971,038
Description of Location of Point Number Cu-7-513:			Description of Location of Point Number Cu-7-538:
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			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-7-514	164,204	968,716	Cu-7-539 160,835 970,993
Description of Location of Point Number Cu-7-514:			Description of Location of Point Number Cu-7-539:
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			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-7-515	164,065	968,790	Cu-7-540 160,877 970,982
Cu-7-516	163,964	968,738	Cu-7-541 160,984 971,113
Description of Location of Point Number Cu-7-516:			Cu-7-542 161,056 971,337
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-7-543 161,327 971,526
Cu-7-517	163,616	969,413	Cu-7-544 161,346 971,624
Description of Location of Point Number Cu-7-517:			Cu-7-545 161,442 971,619
A point near the south end of the first headlands north of Chetco Point located in section 6 of township 41 south, range			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	Cu-7-600	153,286	983,807
Description of Location of Point			Cu-7-601	153,013	984,447
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-7-602	152,765	984,652
Cu-7-558	161,504	974,502	Cu-7-603	152,662	984,708
Description of Location of Point			Cu-7-604	152,633	984,751
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-7-605	151,850	985,113
Cu-7-559	161,529	974,635	Cu-7-606	151,497	985,195
Cu-7-560	161,544	974,866	Cu-7-607	151,277	985,196
Cu-7-561	161,649	975,127	Cu-7-608	150,861	985,540
Cu-7-562	161,562	975,508	Cu-7-609	150,632	985,569
Cu-7-563	161,508	975,746	Cu-7-610	150,504	985,688
Cu-7-564	161,526	975,953	Cu-7-611	150,030	986,310
Cu-7-565	161,433	976,127	Cu-7-612	149,534	986,461
Cu-7-566	160,379	977,263	Cu-7-613	149,266	986,445
Cu-7-567	160,031	977,584	Cu-7-614	149,132	986,537
Cu-7-568	159,387	978,208	Cu-7-615	149,047	986,629
Cu-7-569	158,715	978,406	Cu-7-616	149,098	986,767
Cu-7-570	158,434	978,624	Cu-7-617	148,936	986,896
Cu-7-571	158,159	978,719	Cu-7-618	148,797	986,890
Cu-7-572	158,032	978,847	Cu-7-619	149,033	987,119
Cu-7-573	157,479	978,988	Cu-7-620	149,030	987,307
Cu-7-574	157,462	979,134	Cu-7-621	148,949	987,399
Cu-7-575	157,198	979,298	Cu-7-622	147,977	988,656
Cu-7-576	156,876	979,630	Cu-7-623	147,740	989,001
Cu-7-577	156,780	979,674	Cu-7-624	147,212	989,610
Cu-7-578	156,637	980,008	Cu-7-625	146,900	989,883
Cu-7-579	156,570	979,994	Cu-7-626	146,614	990,134
Cu-7-580	156,547	980,077	Cu-7-626A	146,463	990,180
Cu-7-581	155,833	980,413	Cu-7-627	146,242	990,362
Cu-7-582	155,518	980,627	Cu-7-627A	146,106	990,481
Cu-7-583	155,145	980,715	Cu-7-628	146,007	990,676
Cu-7-584	155,047	980,689	Cu-7-628A	146,030	990,783
Cu-7-585	155,067	980,612	Cu-7-629	146,181	990,926
Cu-7-586	154,825	980,572	Cu-7-629A	146,439	991,778
Cu-7-587	154,813	980,617	Cu-7-629B	145,626	992,092
Cu-7-588	154,921	980,757	Cu-7-629C	145,317	991,861
Cu-7-589	154,852	980,881	Cu-7-630	145,288	991,314
Cu-7-590	154,945	980,926	Cu-7-631	145,176	991,095
Cu-7-591	154,890	981,077	Cu-7-632	144,723	991,295
Cu-7-592	154,457	981,657	Cu-7-633	143,886	991,657
Cu-7-593	154,205	981,833	Cu-7-634	143,339	991,832
Cu-7-594	153,898	982,094	Description of Location of Point		
Cu-7-595	154,197	982,374	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]		
Cu-7-596	154,187	982,498	390 775 [1977 c 263 §1, repealed by 1983 c 338 §978]		
Cu-7-597	153,956	982,999	390 780 [1977 c 263 §2 1981 c 239 §1, repealed by 1983 c 338 §978]		
Cu-7-598	153,474	983,252	390 785 [1977 c 263 §3, 1979 c 819 §1, repealed by 1983 c 338 §978]		
Cu-7-599	153,305	983,531	390 790 [1977 c 263 §4, 1979 c 819 §2, repealed by 1983 c 338 §978]		

390 792 [1979 c 819 §4 1983 c 335 §1 repealed by 1983 c 338 §978]

390 795 [1977 c 263 §5 1983 c 335 §2 repealed by 1983 c 338 §978]

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 Waldo Lake, 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 the side of Waldo Lake, 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 [1971 c 1 §2 1981 c 787 §55 1983 c 334 §1 1983 c 642 §10]

390 815 Policy; establishment of system. The people of Oregon find that many of the free-flowing rivers of Oregon and Waldo Lake and lands adjacent to such lake and 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 and Waldo Lake needs to be complemented by a policy that would preserve Waldo Lake and selected rivers or sections thereof in a free-flowing condition and would protect and preserve the natural setting and water quality of the lake and such rivers and fulfill other conservation purposes. It is therefore the policy of Oregon to preserve for the benefit of the public Waldo Lake and 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 1983 c 334 §2]

390.825 Designated scenic waterways. The following lakes or 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 Applegate 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 following segments of the Deschutes River

(a) The segment from the gauging station immediately below Wickiup Dam downstream approximately 28 miles to General Patch Bridge (at river mile 199),

(b) The segment beginning at Harper Bridge (at river mile 192) downstream approximately 20 miles to river mile 172 above Bend, Oregon,

(c) The segment beginning at Twin Bridges (at river mile 154.5) downstream approximately 34.5 miles to Lake Billy Chinook, excluding the Clne Falls Dam and powerhouse between river mile 145 and 144, and

(d) The segment 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 Wallowa 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 Tumwater 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

(8) Waldo Lake in Lane County and the segment of the North Fork of the Middle Fork of

the Willamette River from Waldo Lake to a point one mile upstream from the railroad bridge that is near the town of Westfir

(9) The segment of the Little North Fork of the Santiam River from the confluence of Battle Ax Creek and Opal Creek downstream to the point at which the Little North Fork of the Santiam River reaches the boundary of the Willamette National Forest as constituted on September 20, 1985 [1971 c 1 §3, 1975 c 612 §1, 1977 c 671 §1, 1983 c 334 §3, 1985 c 781 §§1, 2, 1987 c 291 §1]

390.835 Highest and best use of waters within scenic waterways; authority of State Fish and Wildlife Commission, Water Resources Commission, 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 Commission, upon a finding that such diversion is necessary to uses designated in ORS 536 310 (12), and in a manner consistent with the policies set forth under ORS 390 805 to 390 925. The Water Resources Commission 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 Commission to construct

and maintain stream gauge stations and other facilities related to the commission's duties in administration of the water laws.

(4) The Water Resources Commission shall carry out its responsibilities under ORS 536 220 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, 1985 c 673 §177]

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, the State Department of Agriculture and the affected counties and with the concurrence of the Water Resources Commission, the department shall adopt rules governing the management of related adjacent land. Such rules shall be adopted in accordance with ORS 183 310 to 183 550. Such rules 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 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 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 reasonably 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 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 the owner 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 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 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 Resources Commission, 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 contemplated 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 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, the person 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 lake or 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 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 lake or river necessary to use, store or divert such waters as the owner 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 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 written request and at expense of the member 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, 1981 c 236 §3, 1983 c 334 §4]

390.848 Passes for use of parts of Deschutes River; fee; exemption from fee; disposition of moneys. (1) The department shall establish, by rule, a system for issuing passes necessary to comply with the requirements under ORS 390 851. The department shall establish a reasonable fee for issuance of a pass under this section. The department may establish any form of proof of payment of the user fees that it deems appropriate

(2) The system for issuance of passes established by the department under this section may include issuance of the passes by governmental entities or private persons who have entered into appropriate agreements with the department for issuance of the passes. Agreements under this subsection may include, but are not limited to, terms providing for locations for the collection of fees, methods the department determines appropriate to assure payment of moneys collected and provisions for the distribution of river-user information

(3) The department shall issue, without charge, annual passes to comply with the requirements under ORS 390 851 to persons who own ranch, farm or residential property immediately abutting those portions of the Deschutes River designated as scenic waterways under ORS 390 825 (3)(d) and to members of the immediate family of such persons. This subsection does not authorize the issuance without charge of passes to persons holding less than a majority interest in a firm, corporation or cooperative organization which owns land immediately abutting the Deschutes River designated as scenic waterways under ORS 390 825

(4) Moneys collected under this section shall be deposited in the separate account established for the Parks and Recreation Division under ORS 366 512 and, subject to the limitations under subsection (5) of this section, are continually appropriated to that division to be used

(a) For operation of the pass system established under this section,

(b) For providing river-user oriented law enforcement services;

(c) For providing river recreation information and education,

(d) For developing and maintaining river oriented recreation facilities, and

(e) For any other purposes the department considers appropriate for the maintenance,

enhancement or protection of the natural and scenic beauty of the scenic waterway consistent with ORS 390 805 to 390 925

(5) The use of moneys for purposes described under subsection (4) of this section is limited to the performance of those purposes for areas of the Deschutes River designated as scenic waterways under ORS 390 825 (3)(d) [1981 c 798 §2, 1985 c 606 §4 1987 c 291 §2, 1987 c 624 §15]

390.851 Activities prohibited on parts of Deschutes River without pass; exceptions. (1) Unless the person has an appropriate pass issued under ORS 390 848, no person shall launch, operate or ride in any boat or engage in any camping, fishing or other activity in connection with being transported by a boat on those portions of the Deschutes River designated as scenic waterways under ORS 390 825 (3)(d)

(2) This section does not apply to

(a) Peace officers, members or employes of a governmental body or their agents while engaged in the discharge of official duties, or

(b) Any member of the Confederated Tribes of the Warm Springs Indian Reservation

(3) A person who violates this section commits a Class B parks and recreation infraction [1981 c 798 §3, 1987 c 291 §3]

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 Resources Commission, 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 determines 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]

390.910 Intergovernmental cooperation; county representative on management advisory committee. In carrying out the provisions of ORS 390 805 to 390 925, the department may enter into intergovernmental agreements to form committees to advise the various governmental agencies involved regarding management of the scenic waterways. Each such agreement must provide for membership on the committee of a representative of one of the governing bodies of the counties through which the scenic waterway flows. The county representative shall be chosen by the Governor from among those individuals recommended to the Governor by the county governing bodies [1981 c 236 §2]

390.915 Determination of value of scenic easement for tax purposes; easement exempt. For ad valorem tax purposes, real property that is subject to a scenic easement shall be valued at its true cash value, less any reduction in value caused by the scenic easement, and assessed in accordance with ORS 308 232. The easement shall be exempt from assessment and taxation the same as any other property owned by the state [1971 c 1 §12, 1981 c 804 §99]

390.925 Enforcement. In addition to any other penalties provided by law for violation of ORS 390 805 to 390 925 or rules adopted thereunder, 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 adopted under ORS 390 805 to 390 925 and agreements made under ORS 390 805 to 390 925 [1971 c 1 §13, 1981 c 798 §6]

**DESCHUTES RIVER SCENIC
WATERWAY RECREATION AREA
(Administration)**

390.930 Definitions for ORS 390.930 to 390.940. As used in ORS 390 930 to 390 940

(1) "Committee" means the Deschutes River Scenic Waterway Recreation Area Management Committee

(2) "Division" means the Parks and Recreation Division of the Department of Transportation

(3) "Managing agencies" includes

(a) Parks and Recreation Division of the Department of Transportation,

(b) State Department of Fish and Wildlife,

(c) Confederated Tribes of the Warm Springs Indian Reservation,

(d) State Marine Board,

(e) Sherman, Wasco and Jefferson Counties,

(f) Oregon State Police,

(g) United States Bureau of Land Management,

(h) United States Bureau of Indian Affairs, and

(i) The City of Maupin

(4) "Recreation area" means the Deschutes River Scenic Waterway Recreation Area created under ORS 390 932 [1987 c 624 §1]

Note Section 18, chapter 624, Oregon Laws 1987, provides

Sec 18 On June 30, 1993, section 1 of this Act [390 930] is amended to read

390 930 As used in ORS 390 930 to 390 940

(1) "Division" means the Parks and Recreation Division of the Department of Transportation

(2) "Managing agencies" includes

(a) Parks and Recreation Division of the Department of Transportation,

(b) State Department of Fish and Wildlife,

(c) Confederated Tribes of the Warm Springs Indian Reservation,

(d) State Marine Board,

(e) Sherman, Wasco and Jefferson Counties,

(f) Oregon State Police,

(g) United States Bureau of Land Management,

(h) United States Bureau of Indian Affairs, and

(i) The City of Maupin

(3) "Recreation area" means the Deschutes River Scenic Waterway Recreation Area created under ORS 390 932

390.932 Creation of Deschutes River Scenic Waterway Recreation Area. There is created the Deschutes River Scenic Waterway Recreation Area consisting of the segment of the Deschutes River scenic waterway under ORS 390 825 that is designated as the segment from immediately below the existing Pelton reregulat-

ing 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 [1987 c 624 §17]

390.934 Management of Deschutes River Scenic Waterway Recreation Area, plan; budget. (1) The Parks and Recreation Division of the Department of Transportation shall have primary management responsibility for the State of Oregon to manage the Deschutes River Scenic Waterway Recreation Area. In managing the recreation area, the division shall cooperate with other managing agencies having jurisdiction to manage all or part of the recreational area.

(2) Within two years after September 27, 1987, the committee shall develop, in cooperation with all managing agencies, a comprehensive plan for the Deschutes River Scenic Waterway Recreation Area. The committee shall use past studies of the Deschutes River for developing the plan which shall

(a) Stress a segment by segment design, and

(b) Be in accordance with guidelines set forth in ORS 390 938

(3) The division shall adopt a management plan by rule. The division shall implement the plan and shall prepare a budget for implementation taking into consideration the budget recommendations of the committee and the provisions of the management plan [1987 c 624 §3]

Note Section 19, chapter 624, Oregon Laws 1987 provides

Sec 19 On June 30 1993 section 3 of this Act [390 934] is amended to read

390 934 (1) The Parks and Recreation Division of the Department of Transportation shall have primary management responsibility for the State of Oregon to manage the Deschutes River Scenic Waterway Recreation Area. In managing the recreation area, the division shall cooperate with other managing agencies having jurisdiction to manage all or part of the recreational area.

(2) The division shall adopt a management plan by rule. The division shall implement the plan and shall prepare a budget for implementation taking into consideration the provisions of the management plan [1987 c 624 §19]

390.936 Rules. In accordance with applicable provisions of ORS 183 310 to 183 550, the division shall adopt rules necessary to carry out those provisions of ORS 390 930 to 390 940 that the division is charged with administering. The committee may review these rules and recommend changes to the division [1987 c 624 §12]

Note Section 22, chapter 624, Oregon Laws 1987, provides

Sec 22 On June 30, 1993 section 12 of this Act [390 936] is amended to read

390 936 In accordance with applicable provisions of ORS 183 310 to 183 550 the division shall adopt rules necessary to carry out those provisions of ORS 390 930 to 390 940 that the division is charged with administering [1987 c 624 §22]

390.938 Guidelines for management and development. The Deschutes River Scenic Waterway Recreation Area shall be managed and developed in accordance with the following guidelines

(1) To the extent allowed under ORS 390 805 to 390 925, the recreational area shall be administered to allow continuance of compatible existing uses, while allowing a wide range of compatible river-oriented public outdoor recreation opportunities, to the extent that these do not impair substantially the natural beauty of the scenic waterway or diminish its esthetic, fish and wildlife, scientific and recreational values

(2) The management plan shall include provisions for the development of appropriate facilities and services in the recreation area to meet resource needs for protection and preservation and user needs. This development may include but need not be limited to

(a) River and car camp development,

(b) Sanitation stations for human waste and garbage,

(c) Parking and access road improvement,

(d) Signs indicating land ownership,

(e) Tree and riparian zone protection and restoration,

(f) Educational programs, and

(g) Initiation of additional volunteer programs

(3) Before restricting access through the use of a permit system, all other management options shall be considered

(4) Special emphasis shall be placed on protecting the recreation area and all adjacent property from recreationist-caused wildfires. This goal shall be equal in priority to the other primary goals set forth in this section. This protection shall include but not be limited to

(a) Permanent adoption of a fire rule that provides the same protection as the fire rule in force during the 1986 fire season

(b) Requiring boater passes to include the name of the group leader, date and section of river used

(c) The establishment of information centers near major points of entry into the recreation

area to provide users with information and education regarding the fire rules and general rules of the river

(d) Conducting cadet patrols at the levels considered necessary to facilitate reasonable compliance with recreation area rules [1987 c 624 §4]

Note Section 20 chapter 624 Oregon Laws 1987, provides

Sec 20 On June 30, 1993, section 4 of this Act [390 938] is amended to read

390 938 The Deschutes River Scenic Waterway Recreation Area shall be managed and developed in accordance with the following guidelines

(1) To the extent allowed under ORS 390 805 to 390 925 the recreational area shall be administered to allow continuance of compatible existing uses, while allowing a wide range of compatible river-oriented public outdoor recreation opportunities to the extent that these do not impair substantially the natural beauty of the scenic waterway or diminish its esthetic, fish and wildlife, scientific and recreational values

(2) The management plan shall stress a segment by segment design and shall include provisions for the development of appropriate facilities and services in the recreation area to meet resource needs for protection and preservation and user needs This development may include hut need not be limited to

- (a) River and car camp development
- (b) Sanitation stations for human waste and garbage
- (c) Parking and access road improvement,
- (d) Signs indicating land ownership
- (e) Tree and riparian zone protection and restoration,
- (f) Educational programs and
- (g) Initiation of additional volunteer programs

(3) Before restricting access through the use of a permit system all other management options shall be considered

(4) Special emphasis shall be placed on protecting the recreation area and all adjacent property from recreationist-caused wildfires This goal shall be equal in priority to the other primary goals set forth in this section This protection shall include but not be limited to

(a) Permanent adoption of a fire rule that provides the same protection as the fire rule in force during the 1986 fire season

(b) Requiring boater passes to include the name of the group leader, date and section of river used

(c) The establishment of information centers near major points of entry into the recreation area to provide users with information and education regarding the fire rules and general rules of the river

(d) Conducting cadet patrols at the levels considered necessary to facilitate reasonable compliance with recreation area rules [1987 c 624 §20]

390 940 Relationship to other laws. The division, the committee, and state and local managing agencies shall manage the recreation

area according to the provisions of ORS 390 805 to 390 925 and 390 930 to 390 940 and rules adopted under ORS 390 805 to 390 925 and 390 930 to 390 940 Federal and tribal managing agencies with jurisdiction over their respective lands and waters shall be encouraged to manage their lands and waters in a manner consistent with the provisions ORS 390 805 to 390 925 and 390 930 to 390 940 [1987 c 624 §5]

Note Section 21 chapter 624 Oregon Laws 1987 provides

Sec 21 On June 30 1993, section 5 of this Act [390 940] is amended to read

390 940 The division and state and local managing agencies shall manage the recreation area according to the provisions of ORS 390 805 to 390 925 and 390 930 to 390 940 and rules adopted under ORS 390 805 to 390 925 and 390 930 to 390 940 Federal and tribal managing agencies with jurisdiction over their respective lands and waters shall be encouraged to manage their lands and waters in a manner consistent with the provisions of ORS 390 805 to 390 925 and 390 930 to 390 940 [1987 c 624 §21]

Note Sections 6 to 11 13, 14 and 23 of chapter 624, Oregon Laws 1987 provide

Sec 6 (1) There is established a Deschutes River Scenic Waterway Recreation Area Management Committee consisting of nine members The Governor shall appoint one member from each of the following groups

- (a) Deschutes River noncommercial boaters
- (b) Deschutes River sports fishermen
- (c) Deschutes River permitted outfitters
- (d) Deschutes River area land-based users, campers or hikers
- (e) Private landowners in the Deschutes River area
- (f) Confederated Tribes of the Warm Springs Indian Reservation in consultation with the tribal council
- (g) Elected city or county officials from Wasco, Sherman or Jefferson Counties
- (h) The general public at large

(2) In addition to the members appointed under subsection (1) of this section the Governor shall appoint one member to serve as a liaison with the Legislative Assembly

(3) Committee members shall be selected on the basis of their ability to contribute to the overall management and protection of recreation area resources and although they may advocate the position of particular interest groups they shall not have as their primary responsibility the advocacy of positions of interest groups from which they were selected

(4) The term of office of each member is four years but a member serves at the pleasure of the Governor Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on July 1 next following A member is eligible for reappointment If there is a vacancy for any cause the Governor shall make an appointment to become immediately effective for the unexpired term [1987 c 624 §6]

Sec 7 (1) Notwithstanding the term of office specified by section 6 of this Act, of the members first appointed to the Deschutes River Scenic Waterway Recreation Area Management Committee

- (a) Three shall serve for a term ending June 30, 1989
- (b) Three shall serve for a term ending June 30, 1990
- (c) Three shall serve for a term ending June 30, 1991

(2) The Governor shall appoint the first committee within 90 days after the effective date of this Act [1987 c 624 §7]

Sec 8 A member of the committee is entitled to expenses as provided in ORS 292 495 [1987 c 624 §8]

Sec 9 (1) The committee shall select one of its members as chairperson and another as vice-chairperson, for such terms and with duties and powers necessary for the performance of the functions of such offices as the committee determines

(2) A majority of the members of the committee constitutes a quorum for the transaction of business [1987 c 624 §9]

Sec 10 The committee shall meet at least once every three months at a place, day and hour determined by the committee. The committee also shall meet at other times and places specified by the call of the chairperson or of a majority of the members of the committee or at the call of the managing agencies [1987 c 624 §10]

Sec 11 (1) The Deschutes River Scenic Waterway Recreation Area Management Committee shall

(a) Work with the Parks and Recreation Division to manage the recreation area by

(A) Working together to develop a recreation area comprehensive management plan

(B) Communicating regularly and in a timely manner

(C) Observing management implementation, evaluating progress and participating in subsequent planning

(D) Consider implementation of a user fee system for the recreation area

(b) Coordinate and recommend the final budget prepared for the recreation area after considering input about plans for expenditures by all managing agencies

(c) Compile an annual report containing

(A) Data collected for analysis of recreation area use and condition,

(B) Recommendations of changes in management policies, and

(C) Changes in rules to be implemented in the next recreational season

(2) The Parks and Recreation Division of the Department of Transportation shall provide staff for the committee [1987 c 624 §11]

Sec 13 (1) To aid and advise the committee in the performance of the functions of the committee, the committee may establish such advisory and technical committees as the committee considers necessary. These technical or advisory committees may be continuing or temporary. The committee shall determine the representation, membership, terms and

organization of the committees and shall appoint their members

(2) Members of the technical or advisory committees are not entitled to compensation, but at the discretion of the committee may be reimbursed from funds available to the committee for actual and necessary travel and other expenses incurred by them in the performance of their official duties, subject to ORS 292 495 [1987 c 624 §13]

Sec 14 In addition to the uses permitted under ORS 390 848, moneys collected under ORS 390 848 may be used by the Parks and Recreation Division for providing staff to the Deschutes River Scenic Waterway Recreation Area Management Committee [1987 c 624 §14]

Sec 23. Sections 6, 7, 8, 9, 10, 11, 13 and 14 of this Act are repealed June 30, 1993 [1987 c 624 §23]

RECREATION TRAILS

390.950 Short title. ORS 390 950 to 390 989 and 390 990 (4) 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 390 990 (4) 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 390 990 (4) 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 390 990 (4)

(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 390 990 (4) affects any other statute authorizing trails for motorized vehicles which is not inconsistent with ORS 390 950 to 390 989 and 390 990 (4) [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 390 990 (4)

(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 ORS 390 962 (1)(a) and (b). 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 ORS 390 971 (1) 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]

Note The amendments to 390 968 by section 124, chapter 447, Oregon Laws 1987, take effect July 1, 1989. See section 143, chapter 447, Oregon Laws 1987. The text is set forth for the user's convenience

390 968 (1) The department shall select the rights of way for trails designated as Oregon Recreation Trails by ORS 390 962 (1)(a) and (b). 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, public utilities or telecom-

munications 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 ORS 390 971 (1) 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

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 390 990 (4), 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 390 990 (4), 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 non-state-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 equalized 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 agents of the owner 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 390 990 (4) 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 390 990 (4) 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 adopt rules 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 recrea-

tional purposes, a trail established pursuant to ORS 390 950 to 390 989, shall not be considered an operation as defined by ORS 477 001, if the fire did not start within an operation [1971 c 614 §9, 1973 c 46 §7, 1983 c 740 §123]

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, at least one 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 ORS 390 605 (2), 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, 1981 c 545 §7]

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 390 990 (4), 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 390 990 (4). 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 non-specified 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 the land of the owner, 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 ad valorem tax purposes, real property that is subject to an easement, or a written cooperative agreement, for purposes of ORS 390 950 to 390 989 and 390 990 (4) shall be valued at its true cash value, less any reduction in value caused by the easement or the written cooperative agreement, and assessed in accordance with ORS 308 232. The easement shall be exempt from assessment and taxation the same as any other property owned by the state [1971 c 614 §13, 1981 c 804 §100]

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 390 990 (4) and any rules and regulations adopted under ORS 390 950 to 390 989 and 390 990 (4) and agreements made under ORS 390 950 to 390 989 and 390 990 (4) [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 Department of Transportation does not apply to any power or duty vested in the department by ORS 390 950 to 390 989 and 390 990 (4) [1971 c 614 §16]

PENALTIES

390.990 Penalties. (1) Any person, firm or corporation violating any of the laws or rules described in this subsection commits a Class A park and recreation infraction. This subsection applies to a violation of the following

(a) ORS 390 668

(b) Any rule adopted under ORS 390 160

(c) Any rule adopted under ORS 390 340

(2) Violation of any provision of ORS 390 640 or 390 705, or any rule adopted under such statutes, is punishable, upon conviction, by a fine not exceeding \$500 or imprisonment in the county jail for not more than six months, or both

(3) Each day a violation of ORS 390 640 or 390 705 continues shall be considered a separate offense

(4) Any person who violates a rule adopted 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

(5) Violation of any rule adopted under ORS 390 845 is a Class A park and recreation infraction [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, 1981 c 692 §3, 1981 c 798 §7 1983 c 740 §124]
