

SOME POTENTIAL IMPACTS OF SCENIC WATERWAY DESIGNATION OF THE  
NORTH UMPQUA RIVER ON EMPLOYMENT RELATED TO THE WOOD  
PRODUCTS INDUSTRY IN DOUGLAS COUNTY, OREGON

by

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SOME POTENTIAL IMPACTS OF SCENIC WATERWAY DESIGNATION OF THE  
NORTH UMPQUA RIVER ON EMPLOYMENT RELATED TO THE WOOD  
PRODUCTS INDUSTRY IN DOUGLAS COUNTY, OREGON

ABSTRACT. The economy of Douglas County, Oregon, is heavily dependent upon the wood products industry, which is supported primarily by the timber resources within the county. Much of the related adjacent land along Steamboat Creek and a section of the North Umpqua River is currently managed by federal and private landowners for timber harvesting. As a result of public pressure to protect the valuable resources of these streams and their surroundings, the Oregon State Parks Branch has been studying the feasibility of their inclusion in the state's Scenic Waterway System. This study assesses the potential impact of scenic waterway designation on employment in Douglas County which might result from management regulations on timber harvesting activities along these streams. If the streams are designated, the state would have managerial authority over forest industry lands within the scenic waterway, but not federal lands. It is likely, however, that timber harvesting activities on federal lands would be influenced by designation. Based on the data provided by this study it is concluded that, if scenic waterway designation takes place: (1) there would be little impact on employment in Douglas County even if the state were to choose the most restrictive management alternative for timber harvesting activities on forest industry lands; and (2) there would be little impact on employment in Douglas County even if, of its own accord, the Umpqua National Forest were to change its timber management activities and prohibit all timber harvesting within the scenic waterway.

## INTRODUCTION

The Oregon Scenic Waterways Act was adopted by initiative petition in November 1970.<sup>1</sup> The Act established the policy of preserving selected rivers, or segments thereof, in a free-flowing condition and preserving their natural setting and water quality. The Act designated part or all of six rivers and their related adjacent lands as scenic waterways.

"Related adjacent land" refers to all land within one-quarter of a mile of the bank on each side of the stream. The State Department of Transportation was made responsible for administration of scenic waterways, with primary emphasis to be given to protecting the aesthetic, scenic, fish and wildlife, scientific, and recreation features of the designated rivers, based on the special attributes of each. It was also given responsibility for studying the desirability of including additional rivers and related adjacent land and for submitting periodic reports to the Governor with recommendations for designation. Two additional scenic waterways have been designated since 1970.<sup>2</sup>

Since 1971, there has been public pressure to include a section of the North Umpqua River and Steamboat Creek in the state's Scenic Waterway System. As a result of such pressure, the Department of Transportation, through its State Parks Branch, has been studying the feasibility of the proposed action. One of the considerations is the impact that scenic waterway designation might have on the wood products industry in Douglas County.

## STATEMENT OF PROBLEM AND OBJECTIVES

The economy of Douglas County is heavily dependent upon the wood products industry, which is supported primarily by timber resources within the county. Employment in the wood products industry accounts

for 27 percent of the total county employment and 83 percent of the employment in the county's manufacturing sector.<sup>3</sup> In addition, many indirectly related jobs are supported by the direct employment in the wood products industry. A decreasing percentage of the total labor force is employed in the wood products industry, however, because the tertiary sector of the economy is growing at a faster rate than the manufacturing sector.

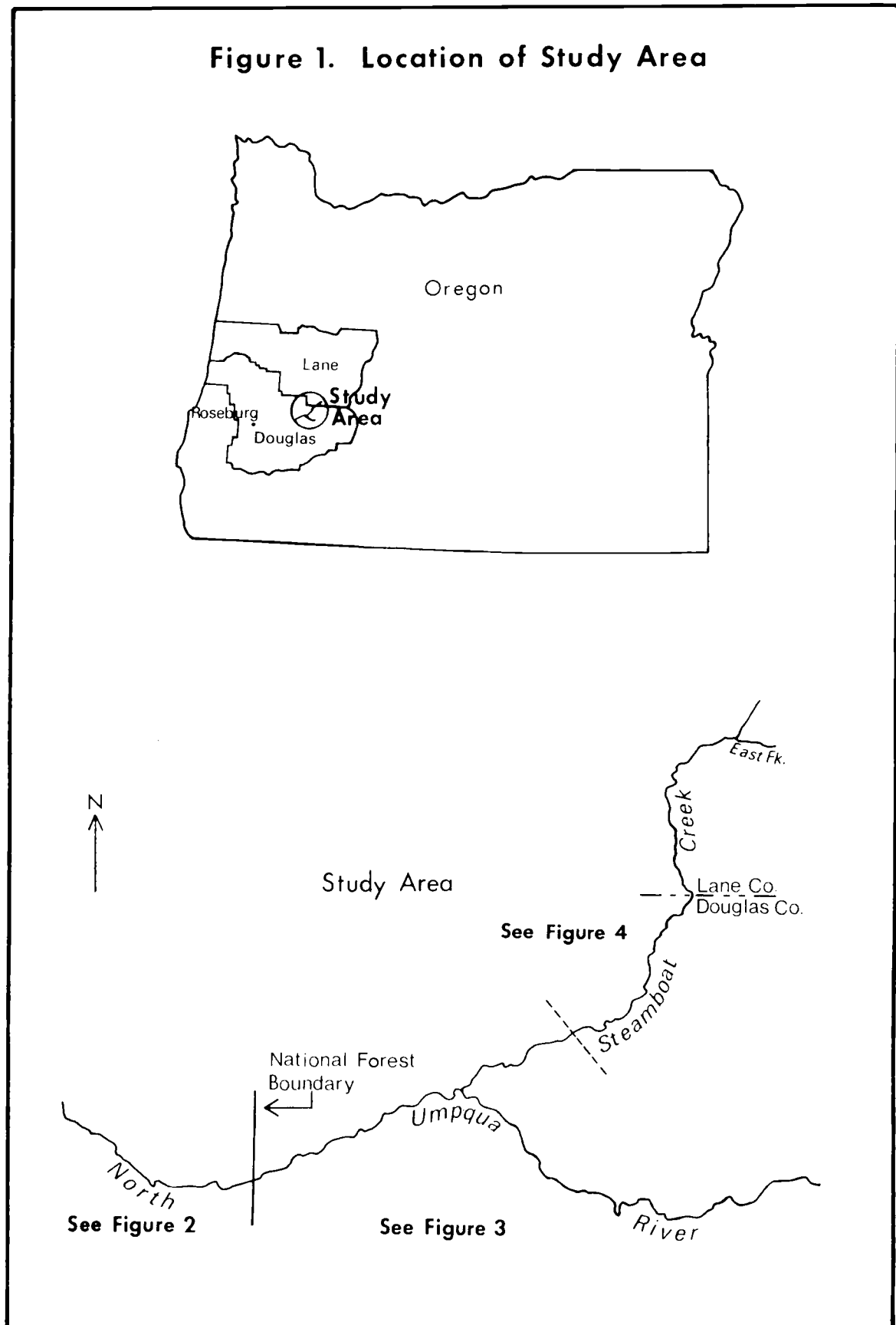
Much of the related adjacent land along Steamboat Creek and the section of the North Umpqua River under consideration is currently managed by federal and private landowners for the harvesting of timber for industrial use. If scenic waterway designation of these streams takes place, the resulting management regulations would affect the use of these lands. This study assesses the potential impact of scenic waterway designation on employment in Douglas County which might result from management regulations on timber harvesting activities along these streams. Specifically, its objectives are to: (1) determine the volume of commercial timber on federal and forest industry lands which would be affected by scenic waterway designation; (2) review a range of management alternatives for timber harvesting activities if scenic waterway designation takes place; and (3) estimate the potential impact on county employment which might result from each of the management alternatives considered.

#### DESCRIPTION OF STUDY AREA

The North Umpqua River is located in Douglas County, Oregon. Steamboat Creek, which rises in Lane County, is a tributary of the North Umpqua (Figure 1). These streams are under consideration for scenic waterway designation for several reasons. Because of the physical,



**Figure 1. Location of Study Area**



biological, and hydrological characteristics of the streams and their environments, they are naturally suitable for the propagation of both resident and anadromous fish. Steamboat Creek is a major spawning ground for anadromous fish, and no fishing is permitted in this stream. The North Umpqua River provides exceptional recreation opportunities for sport fisherman. In addition, sections of the streams and their surroundings possess natural and scenic qualities which have been relatively unaltered by man.

The study area includes 34.1 miles of the North Umpqua River, from Soda Springs Dam downstream to Rock Creek, and 20.5 miles of Steamboat Creek, from the mouth of the East Fork downstream to its confluence with the North Umpqua. The Lane-Douglas County border crosses Steamboat Creek 7.6 miles downstream from the East Fork. The streams and their related adjacent lands comprise the study corridors.

Land ownership within the corridors includes: U. S. Forest Service - Umpqua National Forest (UNF); Bureau of Land Management (BLM); State of Oregon; Douglas County; private forest industry; and other private land (Table 1). The entire Steamboat Creek segment (20.5 miles) and 25.3 miles of the North Umpqua River segment are within the UNF (Figures 2 and 3). Most of the related adjacent land within the UNF is federally owned national forest land, with small portions in private and county ownership. The remaining 8.8 miles of the North Umpqua flow through mixed land ownerships (Figure 4). The study considers federal and forest industry lands within the corridors.

#### UMPQUA NATIONAL FOREST

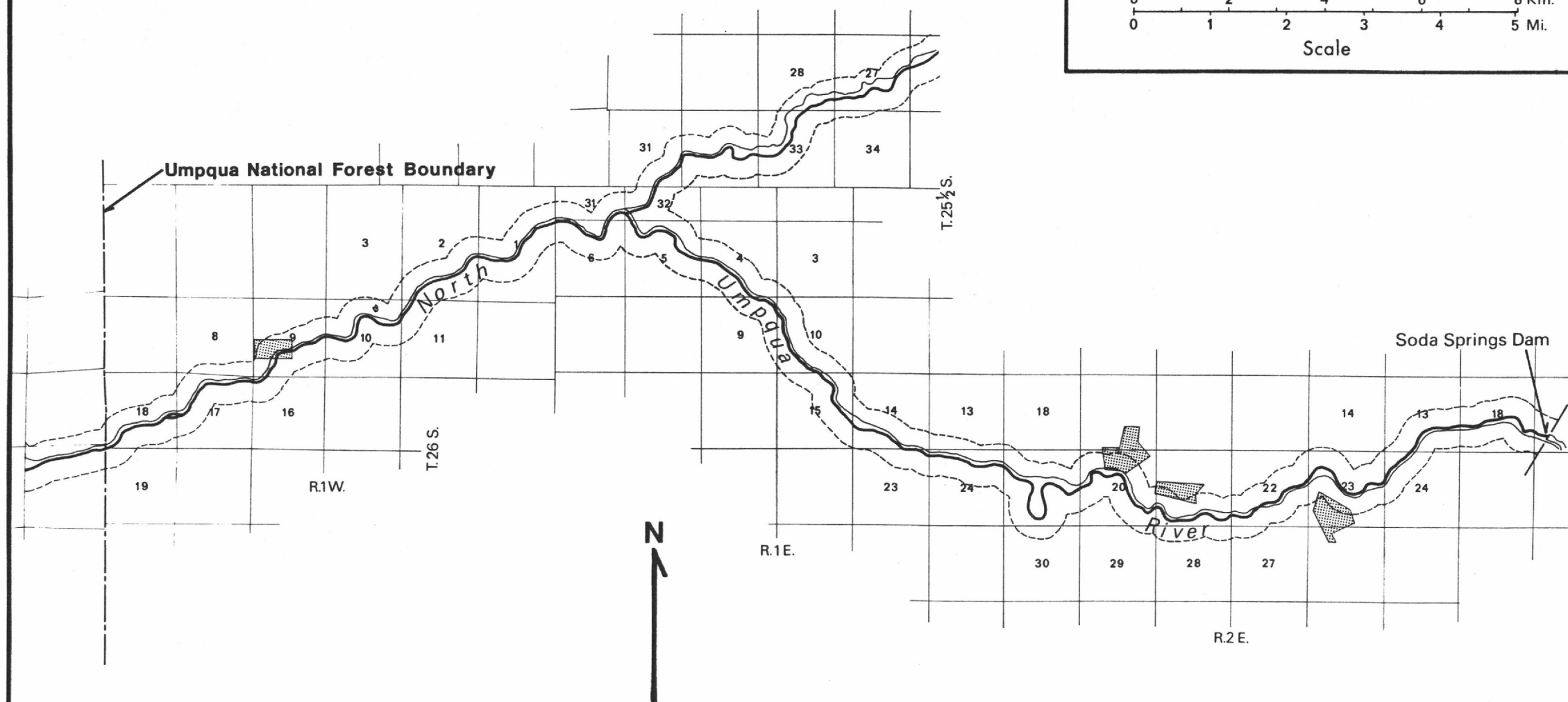
The study corridors within the Umpqua National Forest (UNF) include 25.3 miles of the North Umpqua River and 20.5 miles of Steamboat Creek,

TABLE 1. LAND OWNERSHIP WITHIN CORRIDORS

| Ownership Class           | Acres    |
|---------------------------|----------|
| Federal                   |          |
| Umpqua National Forest    | 14,350.6 |
| Bureau of Land Management | 1,529.5  |
| State of Oregon           | 16.0     |
| Douglas County            | 422.6    |
| Private                   |          |
| Forest industry           | 90.0     |
| Other private             | 726.8    |

Note: See Appendix B for derivation of figures.

**Figure 2. Land Ownership -  
N. Umpqua Corridor Within National Forest**



**LEGEND**



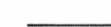
Private Ownership



North Umpqua River



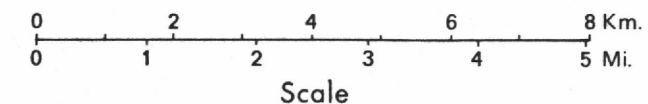
Corridor Boundary



North Umpqua Highway

23

Section Numbers



**Figure 3. Land Ownership—  
Steamboat Creek Corridor**

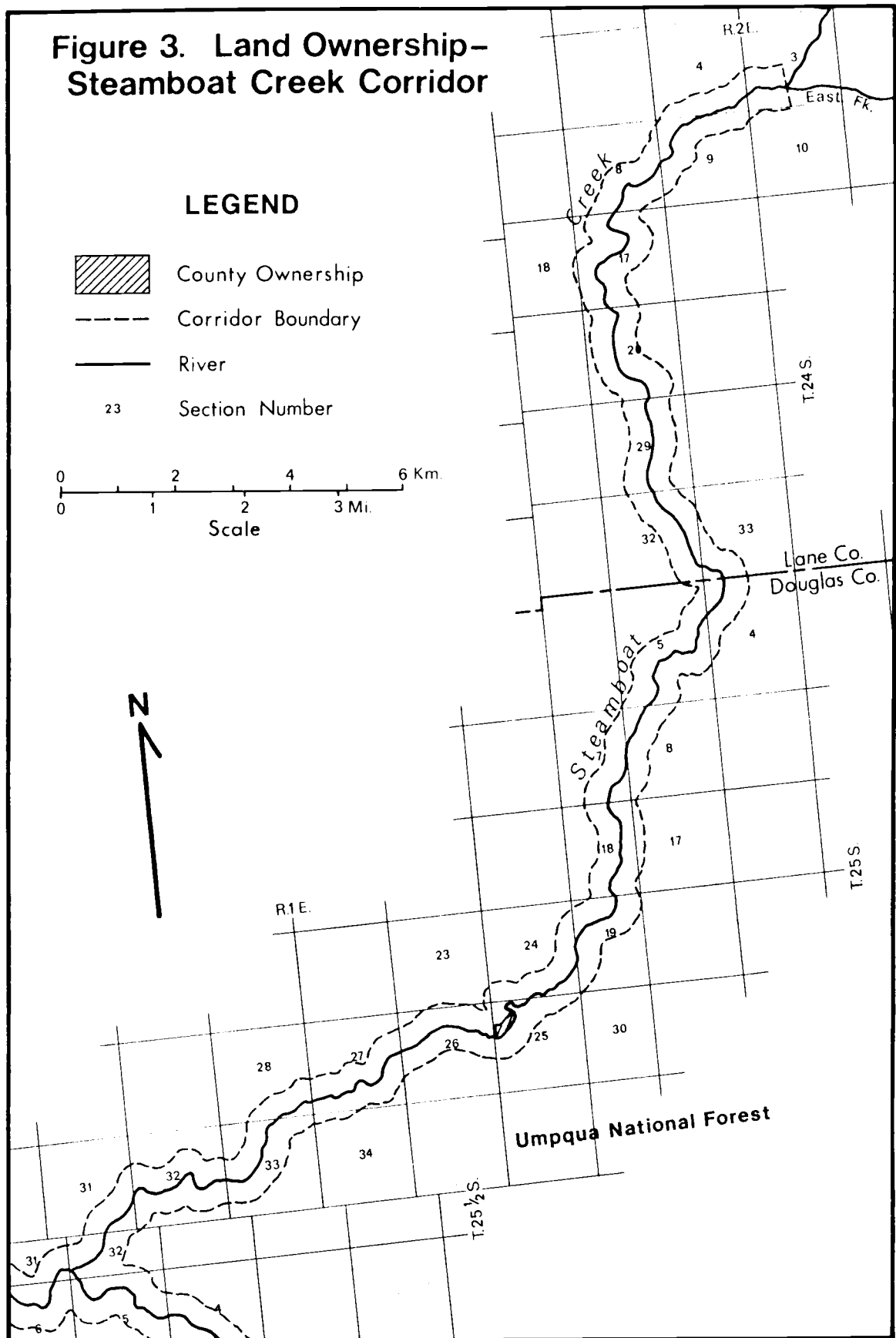
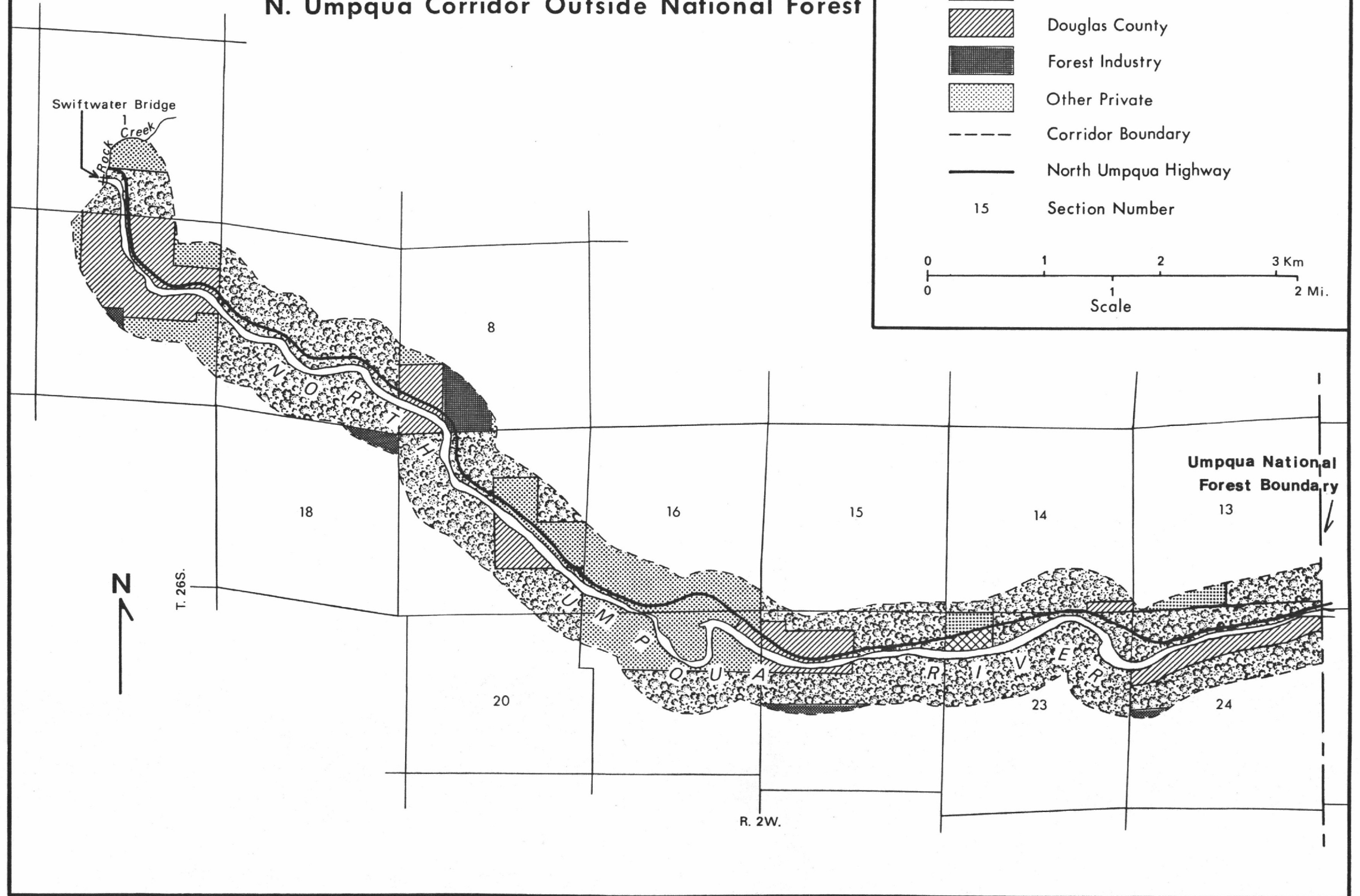


Figure 4. Land Ownership -

N. Umpqua Corridor Outside National Forest



as well as the related adjacent land within one-quarter mile of the banks of the streams. The term 'corridor' as used in this paper refers to the study corridor and is not necessarily the same as the UNF's definition of a stream corridor. Allowing for overlap where Steamboat Creek meets the North Umpqua River, and subtracting the approximately 206.8 acres in private ownership and 18.6 acres in county ownership, the amount of related adjacent land which is administered by the UNF is 14,350.6 acres.<sup>4</sup> This represents 1.47 percent of the total 975,425 acres administered by the UNF.<sup>5</sup>

It is estimated that there are 10,446.4 acres of commercial forest land within the corridors administered by the UNF.<sup>6</sup> This represents 1.18 percent of the total 886,823 acres of commercial forest land in the UNF. Approximately 5,262.4 acres of commercial forest land are within the North Umpqua corridor, and 5,184.0 acres are within the Steamboat Creek corridor.

The figures representing the annual harvest from the corridors are based on the UNF's proposed Timber Management Plan, which revises the existing plan. The Draft Environmental Statement describing the proposed plan and its impacts was released in March 1977.<sup>7</sup> At the time of the writing of this paper, the final Timber Management Plan had not been released. The average volume of timber planned for harvest from the corridors each year is 1.9 MMBF,\* with 1.0 MMBF and 0.9 MMBF to be harvested from the North Umpqua corridor and Steamboat Creek corridor respectively.<sup>8</sup> The proposed annual allowable harvest from the 886,823 acres of commercial forest land within the UNF is 348.5 MMBF. The planned average annual harvest of 1.9 MMBF from the corridors represents 0.55 percent of the proposed annual allowable harvest for the UNF (Table 2).

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\* 1 MMBF = 1,000,000 board feet; 1 MBF = 1,000 board feet;  
1 MMBF = 1,000 MBF.

TABLE 2. COMMERCIAL FOREST LAND ACREAGE AND PLANNED ANNUAL  
HARVEST FIGURES FOR UMPQUA NATIONAL FOREST (UNF)<sup>a</sup>

|   | Acres of Commercial<br>Forest Land | Planned Annual<br>Harvest (MMBF) |
|---|------------------------------------|----------------------------------|
| 1. North Umpqua corridor                              | 5,262.4                            | 1.0                              |
| 2. Steamboat Creek corridor                           | 5,184.0                            | 0.9                              |
| 3. Total for corridors (1 + 2)                        | 10,446.4                           | 1.9                              |
| 4. UNF totals <sup>b</sup>                            | 886,823.0                          | 348.5                            |
| 5. Totals for corridors as %<br>of UNF totals (3 ÷ 4) | 1.18 %                             | 0.55 %                           |

<sup>a</sup> Note: See Appendix B for derivation of figures.

<sup>b</sup> Source: Virgil Wilson, Silviculturalist, Umpqua National Forest Headquarters, Roseburg, Or.



### Employment Figures Associated with Annual Harvest from Corridors

The UNF estimated that each MMBF harvested from the National Forest creates 6.7 directly related and 10.5 indirectly related jobs in Douglas County.<sup>9</sup> Thus, there are 6.7 directly related and 10.5 indirectly related jobs associated with the 1.0 MMBF planned for harvest annually from the North Umpqua corridor. In addition, there are 6 directly related and 9.5 indirectly related jobs associated with the 0.9 MMBF planned for harvest from the Steamboat Creek corridor.

In 1975, mean total employment in Douglas County was 30,440.<sup>10</sup> Of this total, 8,316 were employed in the wood products industry.<sup>11</sup> The 6.7 directly related jobs associated with 1.0 MMBF represent only 0.08 percent of the employment in the wood products industry, and the 17.2 directly and indirectly related jobs represent 0.06 percent of total county employment. The 6 directly related jobs associated with 0.9 MMBF represent 0.07 percent of the employment in the wood products industry, and the 15.5 directly and indirectly related jobs represent 0.05 percent of total county employment. Together, the 12.7 directly related jobs associated with 1.9 MMBF represent 0.15 percent of the employment in the wood products industry, and the 32.7 directly and indirectly related jobs represent 0.11 percent of total county employment (Table 3).

### Management Alternatives if Scenic Waterway Designation Takes Place

In accordance with the Scenic Waterways Act and the State Department of Transportation's Rules and Regulations Pertaining to the Oregon Scenic Waterways System, written notification of any planned timber harvesting activities within a scenic waterway is required one year prior to the planned time of harvest.<sup>12</sup> The notification must include a plan which specifies the timber planned to be cut, road locations, logging methods,

TABLE 3. EMPLOYMENT ASSOCIATED WITH NATIONAL FOREST PLANNED ANNUAL  
HARVEST FROM NORTH UMPQUA AND STEAMBOAT CREEK CORRIDORS

| Employment Figures for Douglas County                           |                            |                               |                     |
|---|----------------------------|-------------------------------|---------------------|
| Mean total employment in Douglas County (1975) <sup>a</sup>     | 30,440.0                   |                               |                     |
| County employment in wood products industry (1975) <sup>b</sup> | 8,316.0                    |                               |                     |
| Employment Figures for Study Corridors                          |                            |                               |                     |
| Type of Employment  | Corridor                   |                               |                     |
|   | North Umpqua<br>(1.0 MMBF) | Steamboat Creek<br>(0.9 MMBF) | Total<br>(1.9 MMBF) |
| Employment associated with<br><br>planned annual harvest        |                            |                               |                     |
| Directly related (DR)   | 6.7                        | 6.0                           | 12.7                |
| Indirectly related (IR)   | 10.5                       | 9.5                           | 20.0                |
| Total   | 17.2                       | 15.5                          | 32.7                |
| DR jobs as % of employment in<br><br>wood products industry     | 0.08 %                     | 0.07 %                        | 0.15 %              |
| DR & IR jobs as % of total<br><br>county employment             | 0.06 %                     | 0.05 %                        | 0.11 %              |

<sup>a</sup> Source: C. Russell Beaton and Thomas H. Hibbard, Douglas County Timber Supply: Economic Impact Analysis (Dept. of Economics, Willamette University, Salem, Or., 1977), p. 2.

<sup>b</sup> Source: Umpqua National Forest, Draft Environmental Statement - Timber Management Plan (prepared by the Umpqua National Forest, Roseburg, Or., 1977), p. 15.

slash clean-up, soil stabilization, and revegetation measures. This regulation was established because the forest cover on related adjacent land is a part of the scenic beauty of a scenic waterway. The conditions of the notification and approval procedure are set forth in the Scenic Waterways Act.

If scenic waterway designation takes place, the state would not have managerial authority over federal lands and therefore could not restrict the UNF's timber harvesting activities or manage the visual resources of the UNF lands. However, the UNF's proposed Timber Management Plan does consider the visual resources along the streams. The proposed plan implements the Forest Service Visual Management System, which evaluates the scenic quality of the natural landscape.<sup>13</sup> Based on the special attributes of each area, the degree of acceptable alteration of the natural landscape is determined. Consideration is also given to the water quality of the streams and its importance in the propagation of fish. It is likely that scenic waterway designation would influence the UNF's management of the visual resources along the streams. If designation takes place, there are several management alternatives which the UNF can consider.

Alternative 1. Proceed with the proposed Timber Management Plan.

Under the proposed plan, management along the North Umpqua River and Steamboat Creek does permit some timber harvesting activities to take place within one-quarter mile of the banks of the streams.<sup>14</sup> There are certain restrictions to protect some of the scenic quality. Along the North Umpqua River, management activities should not be visually evident. If any visual impacts are created, immediate steps are to be taken to reduce the contrasts. The visual resource along Steamboat Creek would be altered to a much greater extent than that of the North Umpqua River,

and this would not satisfy the goals of the Scenic Waterways Act.

Alternative 2. Change the proposed management activities of the Timber Management Plan to reduce some of the visual impacts along the streams.

Under the proposed plan, the visual impacts of timber harvesting activities would be greater along Steamboat Creek than along the North Umpqua River. Therefore, measures taken to reduce some of the visual contrasts would have a greater impact on timber harvesting activities along Steamboat Creek. Some of the changes along both streams might include elimination of clear-cutting, leaving more shelterwood trees than normal, and retaining the shelterwood trees until the newly regenerated stands are of sufficient height to blend in with the surrounding timber.

Alternative 3. Restrict harvesting activities within the scenic waterway to areas which are topographically concealed from the streams.

There are areas within the corridors which are not visible from the streams. If such areas include commercial forest land, and harvesting activities on them comply with water quality control regulations, then timber harvesting would be permitted in these areas. This assumes that no physical or biological damage would result from such activities and that the visual resources of the related adjacent lands as seen from the water would be maintained.

Alternative 4. Prohibit all timber harvesting activities within the scenic waterway.

This is the most restrictive alternative which the UNF can choose. The natural setting within the scenic waterway would be maintained. Any areas which had been altered prior to scenic waterway designation would

be rehabilitated to reduce any undesirable visual impacts.

#### Potential Impact of Management Alternatives on County Employment

Alternative 1. There would be no change in the planned annual harvest from the corridors, and therefore no impact on employment in Douglas County.

Alternative 2. The impact of this alternative is dependent upon the amount of timber harvest reduction which would result from changes in the proposed management activities along the streams.

Alternative 3. An assessment of the potential impact of this alternative would require further research and inventory to determine if any of the areas within the corridors which are not visible from the streams include commercial forest land. If commercial forest land exists in these areas, it would be necessary to determine what the annual harvest would be from these areas. Because of the difficulties involved in obtaining this information, the impact of this alternative is not evaluated in this paper.

Alternative 4. This alternative would have the maximum impact on county employment. If the UNF chooses to prohibit harvesting within the scenic waterway, there would be a reduction in the UNF's annual harvest of 1.9 MMBF and a potential loss of 32.7 related jobs. The impact of this alternative on county employment would be in addition to the impact of the implementation of the proposed Timber Management Plan. The new plan calls for a reduction of 25.5 MMBF in the amount of timber which is sold annually from the UNF under the existing plan. There would be a potential loss of approximately 439 related jobs as a result of this reduction. The actual number of jobs lost in Douglas County as a result of the 1.9 MMBF reduction and the 25.5 MMBF reduction would be partially

dependent upon the amount of timber which would be available from other logging sectors within the county or from surrounding areas, to compensate for at least part of the reduction.

#### BUREAU OF LAND MANAGEMENT

The Bureau of Land Management (BLM) administers the second largest area of land in the study corridors, or approximately 1,529.5 acres (Table 1). It is much less significant than the UNF at the present time in terms of timber harvesting activities within the corridors.

In September 1975, the Roseburg District Office of the BLM released a Draft Environmental Statement for the North Umpqua Canyon Management Plan.<sup>15</sup> The plan proposed construction of the Bob Butte Road, an eight-mile, two-lane paved access road which would be built from the Swiftwater Bridge eastward along the south side of the North Umpqua River, and potential intensive recreation development along that road. It also included the establishment of a scenic management zone, intended to protect the aesthetic values within the canyon.

In April 1977, Secretary of the Interior Cecil D. Andrus directed the BLM to halt construction plans for the proposed Bob Butte Road, citing a lack of proper concern for the splendor of the river, poor agency planning, and faulty cost-benefit studies.<sup>16</sup> He directed:

"the use of the existing ridge-top road system for timber management; utilization of the safest logging techniques but no harvest adjacent to the river; recognition for the sensitivity of the watershed and the devastating impact siltation would have on the propagation of wild fish; only limited recreational development of the area; and cooperation with the state of Oregon to explore potential classification of the river under the (National) Wild and Scenic Rivers Act."

In November 1977, the Roseburg District Office of the BLM submitted a feasibility study to the State Director which evaluated the option of connecting the Swiftwater Bridge to an existing higher road system.<sup>17</sup> At the time of the writing of this paper, no final decision with regard to the feasibility study had been made. No timber harvesting is allowed on BLM land in the North Umpqua River Canyon until a final decision is made. Some management activities, such as pre-commercial thinning, are currently taking place, however. Because timber harvesting activities are limited and figures representing the volume of commercial timber specifically within the study corridor are not available, no evaluation of the timber resources on BLM land within the corridor is made in this paper.

#### FOREST INDUSTRY LANDS

There are approximately 90 acres of land within the study area which are owned by private timber companies. They are located in the section of the North Umpqua River corridor which is not within the UNF (Figure 4). Of those 90 acres, approximately 79 acres are commercial forest land.<sup>18</sup> This represents 0.01 percent of the 773,000 acres of commercial forest land in Douglas County which are owned by private forest industry.<sup>19</sup>

The volume of merchantable timber on the forest industry lands within the corridor was computed from data provided by the Oregon State Department of Revenue for 1977.<sup>20</sup> Of the 79 acres of commercial forest land, 73.9 acres have merchantable timber on them. The estimated volume of timber on 56.3 of the 73.9 acres with merchantable timber is 2.61 MMBF. The volume of timber on the remaining 17.6 acres is estimated to be only an additional 0.01 MMBF (Table 4). Rounded to the nearest 0.10 MMBF, the total volume of timber on forest industry lands is approximately 2.6 MMBF.

TABLE 4. SUMMARY OF FIGURES FOR FOREST INDUSTRY LANDS WITHIN CORRIDOR

| Land Classification               | Acres       | Volume of Merchantable<br>Timber (MMBF) |             |
|-----------------------------------|-------------|---|-------------|
| Commercial forest land (cfl)      |             |   |             |
| within corridor                   |             |   |             |
| cfl with merchantable timber      | 56.3        |   | 2.61        |
|                                   | <u>17.6</u> |   | <u>0.01</u> |
| Subtotal                          | 73.9        |   | 2.62        |
| cfl without merchantable timber   | <u>5.1</u>  |   | <u>0</u>    |
| Total                             | 79.0        | (A)                                     | 2.62        |
| Reserved/unproductive forest land | <u>11.0</u> | (B)                                     | <u>0</u>    |
| Forest industry land within       |             |   |             |
| corridor (A + B)                  | 90.0        |   | 2.62        |

Note: See Appendix B for derivation of figures.



Employment Figures Associated with Forest Industry Lands Within Corridor

Beaton and Hibbard estimated in 1977 that there are 4.7 directly related jobs and 7.1 indirectly related jobs associated with the harvest of 1 MMBF from forest industry lands in Douglas County.<sup>21</sup> If all of the 2.6 MMBF were harvested in one year, there would be 12.2 directly related and 18.5 indirectly related jobs associated with that amount. If the 2.6 MMBF were harvested over a period of years, the annual harvest figure would be reduced and the number of associated jobs, per year, would be less. The 12.2 directly related jobs which would be associated with the harvest of 2.6 MMBF in one year represent 0.15 percent of the county employment in the wood products industry. The 30.7 directly and indirectly related jobs represent 0.10 percent of total county employment (Table 5).

Management Alternatives if Scenic Waterway Designation Takes Place

As previously discussed, no timber harvesting activities can take place within a scenic waterway without notification to the Oregon Department of Transportation one year prior to the planned time of harvest. Three management alternatives are presented in this paper for state management of timber harvesting activities on forest industry lands within the corridor, if scenic waterway designation takes place. Approval of any timber harvesting would be dependent upon the conditions of each proposed timber harvest plan.

Alternative 1. Allow the timber companies to proceed with their planned timber harvesting activities on land within the scenic waterway.

If timber harvesting is planned in areas which can be seen from the river, it seems unlikely that this alternative would be chosen by the Department of Transportation, because it would not satisfy the goals of

TABLE 5. EMPLOYMENT ASSOCIATED WITH HARVEST OF 2.6 MMBF  
FROM FOREST INDUSTRY LANDS WITHIN CORRIDOR

| Employment Figures for Douglas County                           |          |
|---|----------|
| Mean total employment in Douglas County (1975) <sup>a</sup>     | 30,440.0 |
| County employment in wood products industry (1975) <sup>b</sup> | 8,316.0  |
| Employment Figures for Forest Industry Lands                    |          |
| Employment associated with 2.6 MMBF                             |          |
| Directly related (DR)   | 12.2     |
| Indirectly related (IR)   | 18.5     |
| Total   | 30.7     |
| DR jobs as % of employment in wood products industry            | 0.15 %   |
| DR & IR jobs as % of total county employment                    | 0.10 %   |

<sup>a</sup> Source: C. Russell Beaton and Thomas H. Hibbard, Douglas County Timber Supply: Economic Impact Analysis (Department of Economics, Willamette University, Salem, Or., 1977), p. 2.

<sup>b</sup> Source: Umpqua National Forest, Draft Environmental Statement - Timber Management Plan (prepared by the Umpqua National Forest, Roseburg, Or., 1977), p. 15.

the Scenic Waterways Act.

Alternative 2. Restrict timber harvesting activities to areas which are not visible from the river.

This restriction, coupled with state water quality regulations, ensures that the visual resources and the water quality would be maintained.

Alternative 3. Prohibit all timber harvesting activities within the corridor.

The scene as viewed from the river would retain its visual quality. Areas which had been cut prior to designation would be regenerated if this had not already been done, with restriction on all future cutting.

#### Potential Impact of Management Alternatives on County Employment

Alternative 1. Because there would be no change in planned harvest levels, this alternative would have no impact on employment in Douglas County.

Alternative 2. The impact of this alternative is dependent upon the number of acres which are visible from the river and the associated volume of timber that would be withdrawn from harvest. Further research and inventory is necessary to determine these figures before an evaluation of potential impact on county employment can be made.

Alternative 3. This alternative prohibits the potential harvest of 2.6 MMBF. If all of the 2.6 MMBF are planned for harvest in one year, there would be a potential loss of 30.7 related jobs, which would be equivalent to approximately 31 man-years of work. However, if the 2.6 MMBF are to be harvested over a period of years, there would be fewer associated jobs lost. Although the potential loss of approximately 31 man-years of work would remain constant, the magnitude of impact would

be spread over two or more years. The actual amount of work which would be lost is partially dependent upon the amount of timber which would be available from other logging sectors within the county or from surrounding areas, to compensate for at least part of the reduction in harvest.

#### Management of Forest Industry Lands in Douglas County

Before a conclusion can be drawn about the relative significance of the potential loss of 30.7 jobs in Douglas County, it is necessary to briefly discuss the management practices which have been used on forest industry lands in the county.

Studies indicate that poor management practices have historically been used on forest industry lands in Douglas County. In a study done by MacLean it was reported that as of January 1, 1974, 443,000 acres of forest industry land in the county had been clearcut.<sup>22</sup> Of this total, 38 percent was either fully (16 percent) or moderately (22 percent) stocked. The remaining 62 percent was either poorly stocked (38 percent) or nonstocked (24 percent). Eighty-seven percent of the nonstocked area was clearcut prior to 1971 (Table 6). Table 7 shows, by date of cutting, the percentage of clearcut area that is satisfactorily stocked.

MacLean stated that at the current rate of harvest the sawtimber inventory on forest industry lands will not last more than twenty years. Although this supply will be supplemented by stands which grow to sawtimber size (poletimber), over half of the poletimber lands are understocked. Beuter, Johnson, and Scheurman reported that cutting at the current level in Douglas County for the next three decades would result in large areas of old growth timber being cut from public and private lands within a short period of time.<sup>23</sup> This would result in a lag in the availability of merchantable timber when the old growth stocks are

TABLE 6. STOCKING STATUS OF FOREST INDUSTRY LAND CLEARCUT AREA

| Stocking Class                   | Acres   | Percent of Total<br>Clearcut Area | Percent of<br>Nonstocked Area |
|----------------------------------|---------|-----------------------------------|-------------------------------|
| Fully stocked                    | 70,000  | 16 %                              | --                            |
| Moderately stocked               | 98,340  | 22                                | --                            |
| Poorly Stocked                   | 168,340 | 38                                | --                            |
| Nonstocked                       |         |                                   |                               |
| Recently clearcut<br>(1971 - 73) | 14,000  | 3                                 | 13                            |
| Clearcut prior<br>to 1971        | 92,320  | 21                                | 87                            |
| Nonstocked subtotal              | 106,320 | 24                                | 100                           |
| Total                            | 443,000 | 100 %                             | --                            |

TABLE 7. PERCENTAGE OF CLEARCUT AREA OWNED BY FOREST INDUSTRY IN  
DOUGLAS COUNTY THAT IS SATISFACTORILY STOCKED

| Date of Clearcutting | Percent Satisfactorily<br>Stocked |
|----------------------|-----------------------------------|
| 1968 - 70            | 54 %                              |
| 1963 - 67            | 41                                |
| 1953 - 62            | 53                                |
| Before 1953          | 48                                |

Source for Tables 6 and 7: Colin D. MacLean, Timber Resources of Douglas County, Oregon, USDA Forest Service, Pacific Northwest Forest and Range Experiment Station, Resource Bulletin 66 (Portland, Or., 1976), pp. 6-7, 13.

depleted. By the year 2000 there would be a considerable decrease in the harvest from forest industry lands. Darr and Fight predicted that a reduction in private timber harvest in Douglas County can be expected within the next 10 - 20 years, because the inventory of both young and old growth timber is being reduced more rapidly than the stocks are being replaced.<sup>24</sup> In addition, the decline in private timber harvest is not likely to be replaced by imports from surrounding areas because the same situation is occurring in most of southwestern Oregon. The trend of depletion of old growth stocks and underutilization of restocking potential indicates that there has been little long-range planning of and concern for sustained yield management of the private industry owned timber resources in Douglas County.

#### CONCLUSIONS

The Umpqua National Forest's proposed visual management of the related adjacent land within its jurisdiction along the North Umpqua River and Steamboat Creek gives some consideration to the visual resources of the streams and their surroundings. However, if scenic waterway designation takes place, conflict may arise as to whether or not consideration of the visual resources is sufficient to satisfy the goals of the Scenic Waterways Act. If, as a result of designation, the UNF were to change its timber management activities and prohibit all timber harvesting within the scenic waterway, there would be a 1.9 MMBF reduction in the UNF annual harvest, creating a potential loss of 12.7 directly related and 20 indirectly related jobs. This would be the maximum restriction which the UNF could choose, which would create the maximum potential job loss impact. The 12.7 directly related jobs represent 0.15 percent of county employment in the wood products industry, while the 32.7 directly and indirectly

related jobs represent 0.11 percent of total county employment. Based on the figures presented in the UNF section of this paper, it is concluded that even if the UNF were to prohibit all timber harvesting within the scenic waterway the potential loss of a maximum of 32.7 related jobs would have little impact on employment in Douglas County.

For the forest industry lands it was shown that the 12.7 directly related jobs associated with the harvest of 2.6 MMBF in one year represent 0.15 percent of county employment in the wood products industry, while the 30.7 directly and indirectly related jobs represent 0.10 percent of total county employment. Timber companies in Douglas County may be concerned about the potential loss of 30.7 jobs in the county which might result from 2.6 MMBF being withdrawn from harvest. However, there has historically been, and trends indicate that there still is, poor management of the forest industry lands in Douglas County. There has been little long-range planning for future yields or consideration of employment related to the wood products industry. The assumption is made that over the long-run the underutilization of restocking potential has had, and will continue to have, a negative impact on employment in Douglas County. It is concluded that if the harvest of 2.6 MMBF of timber on forest industry lands is prohibited as a result of scenic waterway designation there would be relatively little impact on employment in Douglas County.

If scenic waterway designation takes place, any reduction in harvest from UNF and forest industry lands within the scenic waterway would have little impact on employment in Douglas County when considered separately. However, it cannot be overlooked that the impacts may be more significant when coupled with the impact of the reduction in the UNF harvest level which is proposed in the new Timber Management Plan.

## FOOTNOTES

- 1 Oregon. Oregon Revised Statutes, ch. 390, par. 805 to 925, (Scenic Waterways). See Appendix C.
- 2 The Sandy and Clackamas rivers were added to the Scenic Waterways System on July 9, 1973 and July 1, 1975 respectively.
- 3 These figures are derived from the following sources:  
C. Russell Beaton and Thomas H. Hibbard, Douglas County Timber Supply: Economic Impact Analysis (Department of Economics, Willamette University, Salem, Or., 1977), p. 2; Umpqua National Forest, Draft Environmental Statement - Timber Management Plan (prepared by the Umpqua National Forest, Roseburg, Or., 1977), p. 15.
- 4 Appendix B explains the derivation of this figure.
- 5 Umpqua National Forest, op. cit., footnote 3, p. 4.
- 6 The figures in this paragraph are derived from information obtained from personal communication with Virgil Wilson, Silviculturalist, Umpqua National Forest Headquarters, Roseburg, Or., June 21 - 22 and July 6 - 7, 1977. See Appendix B.
- 7 Umpqua National Forest, op. cit., footnote 3.
- 8 Wilson, op. cit., footnote 6.
- 9 Wilson, op. cit., footnote 6.
- 10 Beaton and Hibbard, op. cit., footnote 3, p. 2.
- 11 Umpqua National Forest, op. cit., footnote 3, p. 15.
- 12 Oregon Transportation Commission, Rules and Regulations Pertaining to the Oregon Scenic Waterways System (Salem, Or., June 25, 1974), p. 5.
- 13 U. S. Department of Agriculture, Forest Service, National Forest Landscape Management, vol. 2, chap. 1: The Visual Management System, Agriculture Handbook No. 462 (Washington, D. C.: Government Printing



- Office, 1974). This publication describes the criteria which are considered in classifying areas and making management decisions.
- 14 An unpublished map showing the proposed management of the visual resources along the North Umpqua River and Steamboat Creek was made available by Erl Swanson, Landscape Architect, Umpqua National Forest Headquarters, Roseburg, Or. Since the map included areas well beyond one-quarter mile of the banks of the streams, the study corridors were delineated on an overlay in order to determine the visual management specifically within the study corridors.
  - 15 U. S. Department of the Interior, Bureau of Land Management, Draft Environmental Statement for North Umpqua Canyon Management Plan (prepared by Roseburg (Or.) District Office, 1975).
  - 16 "Andrus Halts North Umpqua River Road Project," News Release from the Office of the Secretary, U. S. Department of the Interior, April 18, 1977.
  - 17 Personal communication with Richard M. Popp, Bureau of Land Management, Roseburg (Or.) District Office, November 10, 1977.
  - 18 Appendix B explains the derivation of this figure.
  - 19 Colin D. MacLean, Timber Resources of Douglas County, Oregon, USDA Forest Service, Pacific Northwest Forest and Range Experiment Station, Resource Bulletin 66 (Portland, Or., 1976), p. 6.
  - 20 Appendix B shows the computation of the volume of merchantable timber, based on data provided by the Oregon State Department of Revenue.
  - 21 Beaton and Hibbard, op. cit., footnote 3, p. 15.
  - 22 MacLean, op. cit., footnote 18, pp. 6 - 7, 13.
  - 23 John H. Beuter, K. Norman Johnson, and H. Lynn Scheurman, Timber for Oregon's Tomorrow: An Analysis of Reasonably Possible Occurrences, Oregon State University, Forest Research Laboratory, Research

Bulletin 19 (Corvallis, Or., 1976), pp. 36 - 37.

- 24 David R. Darr and Roger D. Fight, Douglas County, Oregon: Potential Economic Impacts of a Changing Timber Resource Base, USDA Forest Service, Pacific Northwest Forest and Range Experiment Station, Research Paper 179 (Portland, Or., 1975), p. 1.

## APPENDIX A

## DEFINITION OF TERMS

Commercial forest land - Forest land that is capable of producing crops of industrial wood and is not withdrawn from timber use by statute or administrative regulation; includes areas suitable for management to grow crops of industrial wood and generally capable of producing in excess of 20 cubic feet per acre of annual growth; includes both accessible and prospectively accessible areas and both operable and prospectively operable areas.<sup>a</sup>

Corridor - Refers to the stream and all related adjacent land within one-quarter mile of the bank on each side of the stream.

Directly related job - Employment provided by logging, hauling, and primary processing of timber for industrial use.<sup>b</sup>

Forest industry lands - Owned by companies or individuals operating wood-using plants or whose primary operation is growing wood for industrial use.<sup>c</sup>

Indirectly related job - Job dependent upon the jobs and income generated by direct employment in the wood products industry; includes employment in wholesale/retail businesses and community services.<sup>b</sup>

Other private lands - Includes all private lands except those classed as forest industry lands.<sup>c</sup>

Poletimber trees - Growing stock trees 5.0 to 8.9 inches in d.b.h. with a cubic-foot volume of wood that is at least 50 percent free from defect. They are free from any disease, defect, or deformity which is likely to prevent their becoming sawtimber trees.<sup>c</sup>

Related adjacent land - All land within one-fourth of one mile of the bank on each side of a river or segment of river within a scenic waterway.<sup>d</sup>

Sawtimber trees - Growing stock trees at least 9.0 inches in d.b.h. if they are softwoods and at least 11.0 inches in d.b.h. if they are hardwoods. At least 25 percent of the board-foot volume in any sawtimber tree must be free from defect.<sup>c</sup>

Scenic waterway - A river or segment of river that has been designated as such in accordance with ORS 390.805 to 390.925 or any subsequent Act, and includes related adjacent land.<sup>d</sup>

Stocking classes - Measurement of how well the productive potential of the forest is being utilized by trees. Current stocking on stands with a mean diameter of at least 8 inches are classified according to the percent of normal yield. The stocking class for stands with a mean diameter of less than 8 inches suggests the degree to which the stands can be expected to utilize the site when their mean diameter reaches 8 inches.<sup>c</sup>

Fully stocked - Stocking density is at least 60 percent of normal.

Moderately stocked - Stocking density is 36 to 59 percent of normal.

Poorly stocked - Stocking density is 10 to 35 percent of normal.

Nonstocked - Stands with less than 10 percent stocking.

Satisfactorily stocked - Stocking density is more than 35 percent of normal.

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#### SOURCES OF DEFINITIONS

- a Umpqua National Forest, Draft Environmental Statement - Timber Management Plan (prepared by the Umpqua National Forest, Roseburg, Or., 1977).
- b C. Russell Beaton and Thomas H. Hibbard, Douglas County Timber Supply: Economic Impact Analysis (Department of Economics, Willamette

- University, Salem, Or., 1977); Enoch F. Bell, Estimating Effect of Timber Harvesting Levels on Employment in Western United States, USDA Forest Service, Intermountain Forest and Range Experiment Station, Research Note 237 (Ogden, Utah, 1977).
- <sup>c</sup> Colin D. MacLean, Timber Resources of Douglas County, Oregon, USDA Forest Service, Pacific Northwest Forest and Range Experiment Station, Resource Bulletin 66 (Portland, Or., 1976).
- <sup>d</sup> Oregon. Oregon Revised Statutes, ch. 390, par. 805.

APPENDIX B  
COMPUTATION OF FIGURES

The number of acres of related adjacent land along the 8.8-mile segment of the North Umpqua River outside the Umpqua National Forest was determined by planimetric measurement. The corridor was delineated on Metsker Township Maps of Douglas County, T. 26S. R. 2W. and 3W. Land ownerships were updated to August 1977 from the records at the Douglas County Tax Assessor's Office.

Umpqua National Forest (UNF)

The figures for the Steamboat Creek corridor and the segment of the North Umpqua River corridor within the UNF were derived from data provided by Virgil Wilson, Silviculturalist at the UNF Headquarters in Roseburg.

A. Related adjacent land. A corridor one-quarter mile from the banks on each side of the streams encompasses 320 acres per river mile.

North Umpqua River segment: Soda Springs Dam to UNF boundary =  
25.3 miles.

$25.3 \times 320 = 8,096.0$  acres

Steamboat Creek: East Fork to North Umpqua River = 20.5 miles.

To account for overlap of land where Steamboat Creek meets the North Umpqua River, one-quarter mile was subtracted from the length of Steamboat Creek.

$20.25 \times 320 = 6,480.0$  acres

Total related adjacent land within UNF: 14,576.0 acres.

There are approximately 225.4 acres of related adjacent land which are not administered by the UNF. Approximately 206.8 acres are privately owned and 18.6 are county owned.

Total related adjacent land administered by UNF:  $14,576.0 - 225.4 =$   
14,350.6 acres.

The actual number of acres of related adjacent land is a little less, because there is some overlap of land along sharp bends in the streams.

B. Commercial forest land. It was estimated in 1977 that 65 percent of the related adjacent land within the North Umpqua corridor and 80 percent of the related adjacent land within the Steamboat Creek corridor is commercial forest land.

North Umpqua corridor:  $8,096.0 \times .65 = 5,262.4$  acres.

Steamboat Creek corridor:  $6,480.0 \times .80 = 5,184.0$  acres.

Total: 10,446.4 acres.

C. Volume of timber. The average volume of timber planned for harvest annually from UNF land within the corridors is:

North Umpqua corridor: 1.0 MMBF

Steamboat Creek corridor: 0.9 MMBF

Total: 1.9 MMBF

D. Employment figures. There are 6.7 directly related and 10.5 indirectly related jobs in Douglas County associated with the harvest of each MMBF from the UNF.

|                           | <u>Directly<br/>Related</u> | <u>Indirectly<br/>Related</u> | <u>Total</u> |
|---------------------------|-----------------------------|-------------------------------|--------------|
| North Umpqua corridor:    | $1.0 \times 6.7 = 6.7$      | $1.0 \times 10.5 = 10.5$      | 17.2         |
| Steamboat Creek corridor: | $0.9 \times 6.7 = 6.0$      | $0.9 \times 10.5 = 9.5$       | 15.5         |
| Total:                    | $1.9 \times 6.7 = 12.7$     | $1.9 \times 10.5 = 20.0$      | 32.7         |

### Forest Industry Lands

A. Related adjacent land. The number of acres of forest industry land within the study area was determined by planimetric measurement, as described earlier. There are approximately 90 acres of land within the corridor owned by timber companies. Following is a list of acreage by section.

|                        |            |
|------------------------|------------|
| T. 26S. R. 2W. Sec. 18 | 17.6 acres |
| Sec. 8                 | 43.3       |
| Sec. 22                | 17.6       |
| Sec. 24                | 5.1        |
| R. 3W. Sec. 12         | <u>6.4</u> |
| Total                  | 90.0 acres |

B. Commercial forest land. There are 11 acres in Sec. 8, R. 2W., which are not considered commercial forest land. The acreage was determined by planimetric measurement of an Oregon Department of Revenue Timber Type Map.

C. Volume of timber. Figures representing the volume of merchantable timber were computed from information provided by the Oregon State Department of Revenue for 1977.

| <u>Species</u>                    | <u>Study Acres/Sec. X</u> | <u>Volume/Acre (MBF)</u> | <u>Total Volume (MBF)</u> |
|-----------------------------------|---------------------------|--------------------------|---------------------------|
| T. 26S. R. 3W. Sec. 12            | 6.4                       |                          |                           |
| 0133 (Douglas Fir - Y.G.)         |                           | 0.9                      | 5.76                      |
| 0233 (Western Hemlock - Y.G.)     |                           | 0.3                      | 1.92                      |
| 0532 (Grand and White Fir - Y.G.) |                           | 1.3                      | 8.32                      |
| 1330 (Incense Cedar - Y.G.)       |                           | 0.2                      | 1.28                      |
| 0141 (Douglas Fir - R.F.)         |                           | 45.6                     | 291.84                    |
| 0253 (Western Hemlock - O.G.)     |                           | 1.0                      | 6.40                      |



| <u>Species</u>                    | <u>Study Acres/Sec. X</u> | <u>Volume/Acre (MBF)</u> | <u>Total Volume (MBF)</u> |
|-----------------------------------|---------------------------|--------------------------|---------------------------|
| 0450 (W. Red Cedar - O.G.)        |                           | 3.3                      | 21.12                     |
| 0553 (Grand and White Fir - O.G.) |                           | 1.1                      | 7.04                      |
| 0952 (Sugar Pine - O.G.)          |                           | 4.1                      | 26.24                     |
| 1350 (Incense Cedar - O.G.)       |                           | 2.4                      | 15.36                     |
| Subtotal                          |                           |                          | 385.28                    |

T. 26S. R. 2W. Sec. 8                      32.3

(32.3 of the 43.3 acres contain merchantable timber)

|                           |      |          |
|---------------------------|------|----------|
| 0132 (Douglas Fir - Y.G.) | 6.4  | 206.72   |
| 0930 (Sugar Pine - Y.G.)  | 0.2  | 6.46     |
| 0141 (Douglas Fir - R.F.) | 40.4 | 1,304.92 |
| Subtotal                  |      | 1,518.10 |

T. 26S. R. 2W. Sec. 18                      17.6

|                                   |      |        |
|-----------------------------------|------|--------|
| 0930 (Sugar Pine - Y.G.)          | 0.4  | 7.04   |
| 0141 (Douglas Fir - R.F.)         | 25.1 | 441.76 |
| 0151 (Douglas Fir - O.G.)         | 0.6  | 10.56  |
| 0253 (Western Hemlock - O.G.)     | 2.1  | 36.96  |
| 0450 (W. Red Cedar - O.G.)        | 3.5  | 61.60  |
| 0553 (Grand and White Fir - O.G.) | 1.1  | 19.36  |
| 0952 (Sugar Pine - O.G.)          | 6.5  | 114.40 |
| 1350 (Incense Cedar - O.G.)       | 0.8  | 14.08  |
| Subtotal                          |      | 705.76 |

Total    2,610.08 MBF  
(2.61 MMBF)

T. 26S. R. 2W. Sec. 22

17.6 acres. There are approximately 2 acres of low volume scattered

conifer timber with 3 - 5 MBF per acre. This equals 6 - 10 MBF or 0.006 - 0.10 MMBF. This volume is for merchantable timber 12 inches in d.b.h. and above. Timber companies consider trees down to 8 inches in d.b.h., and sometimes less, to be merchantable. Therefore, the volume of merchantable timber in this area may be slightly more.

T. 26S. R. 2W. Sec. 24

5.1 acres. This is an old clearcut area and contains no merchantable timber.

D. Employment figures. There are 4.7 directly related and 7.1 indirectly related jobs associated with the harvest of 1 MMBF from forest industry lands in Douglas County.

|                    |                         |
|--------------------|-------------------------|
| Directly related   | $2.6 \times 4.7 = 12.2$ |
| Indirectly related | $2.6 \times 7.1 = 18.5$ |
| Total              | <u>30.7</u>             |

### SCENIC WATERWAYS

**Note:** ORS 390.805 to 390.925 were adopted by initiative petition approved by the people November 3, 1970, effective December 3, 1970. The text of the petition appears as chapter 1, Oregon Laws 1971.

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

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

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

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

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

[1971 c.1 §2]

### 390.815 Policy; establishment of system.

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

[1971 c.1 §1]

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

(1) The segment of the Rogue River extending from the confluence with the 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 segment of the Deschutes River from immediately below the existing Pelton reregulating dam downstream approximately 100 miles to its confluence with the Columbia River, excluding the City of Maupin.

(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).

[1971 c.1 §3]

**390.835 Highest and best use of waters within scenic waterways; authority of fish and wildlife commissions, State Engineer, 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 State Engineer, upon a finding that such diversion is necessary to uses designated in subsection (12) of ORS 536.310, and in a manner consistent with the policies set forth under ORS 390.805 to 390.925. The State Engineer shall administer and enforce the provisions of this subsection.

(2) No bank protection works or dredging facility shall be constructed or used on such waters, except as permitted by the Director of the Division of State Lands and approved by the State Land Board for purposes consistent with the policies set forth under ORS 390.805 to 390.925 for scenic waterways, 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 Fish Commission of the State of Oregon and the State 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 State Engineer to construct and maintain stream gauge stations and other facilities related to his duties in administration of the water laws.

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

#### 390.845 Functions of the department.

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

(2) After consultation with the State Board of Forestry and the State Department of Agriculture and with the concurrence of the State Water Resources Board, the department shall adopt rules and regulations governing the management of related adjacent land. Such rules and regulations shall be adopted in accordance with ORS chapter 183. Such rules and regulations shall reflect management principles, standards and plans applicable to scenic waterways, their shore lines and related adjacent land and, if necessary, establish varying intensities of protection or development based on special attributes of each area. Such management principles, standards and plans shall protect or enhance the esthetic and scenic values of the scenic waterways and permit compatible agricultural, forestry and other land uses. Specifically, and not in limitation of the foregoing, such rules and regulations shall provide that:

(a) No roads, railroads or utilities shall be constructed within any scenic waterway except where necessary to serve the permissible uses, as defined in subsection (2) of this section and in the rules and regulations of the department, of the related adjacent land or unless department approval of such use is obtained as provided in subsection (4) or (5) of this section. The department whenever 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 or regulations of the department adopted under ORS 390.805 to 390.925 or to uses to which the land was not being put before December 3, 1970, or engage in the cutting of trees, or mining, or prospecting on such lands or construct roads, railroads, utilities, buildings or other structures on such lands, unless the owner of the land has given to the department written notice of such proposed use at least one year prior thereto and has submitted to the department with the notice a specific and detailed description of such proposed use or has entered into agreement for such use with the department under subsection (5) of this section. The owner may, however, act in emergencies without the notice required by ORS 390.805 to 390.925 when necessary in the interests of public safety.

(4) Upon receipt of the written notice provided in subsection (3) of this section, the department shall first determine whether in its judgment the proposed use would impair substantially the natural beauty of a scenic waterway. If the department determines that the proposal, if put into effect, would not impair substantially the natural beauty of the scenic waterway, the department shall notify in writing the owner of the related adjacent land that he may immediately proceed with the proposed use as described to the department. If the department determines that the proposal, if put into effect, would impair substantially the natural beauty of the scenic waterway, the department shall notify in writing the owner of the related adjacent land of such determination and no steps shall be taken to carry out such proposal until at least one year after the original notice to the department. During such period:

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

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

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

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

(a) At any time subsequent to nine months after the receipt of notice of a proposal for the use of such land that the department determines would, if carried out, impair substantially the natural beauty of a scenic waterways 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 and regulations of the department or any agreement entered into by the department pursuant to subsection (4) or (5) of this section; or

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

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

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

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

(8) Any owner of related adjacent land, upon written request to the department, shall be provided copies of rules and regulations then in effect or thereafter adopted by

the department pursuant to ORS 390.805 to 390.925.

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

(10) If a scenic waterway contains lands or interests therein owned by or under the jurisdiction of an Indian tribe, the United States, another state agency or local governmental agency, the department may enter into agreement with the tribe or the federal, state or local agency for the administration of such lands or interests therein in furtherance of the purposes of ORS 390.805 to 390.925.

[1971 c.1 §5; 1971 c.459 §1; 1973 c.756 §2]

**390.855 Designation of additional scenic waterways.** The department shall undertake a continuing study and submit periodic reports to the Governor, with the concurrence of the State Water Resources Board, recommending the designation of additional rivers or segments of rivers and related adjacent land by the Governor as scenic waterways subject to the provisions of ORS 390.805 to 390.925. Consistent with such recommendation, the Governor may designate any river or segment of a river and related adjacent land as a scenic waterway subject to the provisions of ORS 390.805 to 390.925. The department shall consult with the State Wildlife Commission, the Fish Commission of the State of Oregon, 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]

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

[1971 c.1 §12]

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

[1971 c.1 §13]