

John Day River Questions and Answers

Q: What are the Outstandingly Remarkable Values for the John Day Wild and Scenic River?

A: The Outstandingly Remarkable Values (ORVs) identified for the John Day Wild and Scenic River are: Scenic, Recreational Opportunities, Fish, Wildlife, Geological, Paleontological, Archeological, Historical, Botanical and Ecological. The Wild and Scenic Rivers Act requires the managing agency to protect and enhance the ORVs.

Q: There are three classifications of Wild and Scenic River; Wild, Scenic and Recreational. Which classification is the John Day River?

A: Congress designated the John Day River as a Recreational River under the Wild and Scenic Rivers Act. Management of recreational river areas should protect and enhance the Outstandingly Remarkable River Values and provide river-related outdoor recreation opportunities.

Q: What does the Wild and Scenic Rivers Act say about setting user capacities on the river?

A: The 1968 Wild and Scenic Rivers Act (WSRA) mandates that the river area must be administered in such manner as to protect and enhance the values which caused it to be included in the wild and scenic rivers system and the administering agency must prepare a comprehensive management plan to provide for the protection of the river values. The comprehensive management plan shall address resource protection, development of lands and facilities, user capacities, and other management practices necessary or desirable to achieve the WSRA's purposes. (WSRA 16 U.S.C. § 1274(d)(1); 16 U.S.C. § 1281(a))

Further WSRA guidance from the Department of the Interior directs the managing agency to set a "carrying capacity" which is defined as the quantity of recreation use which an area can sustain without adverse impact on the Outstandingly Remarkable Values and free-flowing character of the river area, the quality of recreation experience, and public health and safety. (Secretarial Guidelines)

Q: What does recent case law say about setting user capacities on Wild and Scenic Rivers?

A recent court opinion by the U.S. Ninth Circuit Court of Appeals concerning the Merced Wild and Scenic River in Yosemite National Park required the National Park Service to set a capacity in its comprehensive management plan and to manage use within that capacity. (No. 07-15124, Nov. 28, 2007)

Q: What is a “quality” recreation experience?

A: A “quality” recreation experience means something different to each person. BLM is required to define the desired recreation experience for a given area and manage the area to provide that experience. The John Day River Study divides the river into two distinct sections and describes a “quality” recreation experience for each section; Service Creek to Clarno is less primitive, and Clarno to Cottonwood is more primitive. For more information see Desired Future Conditions in the John Day River Study.

Q: What does the John Day River Plan say about how the John Day River Study will be used?

A: The River Plan directed BLM to use a study to determine the appropriate levels for boating use for Segments 2 and 3 and make other recreation management decisions, and to initiate a study for other river segments if and when needed to address recreation management issues.

The River Plan said that management decisions would be based on resource conditions, social preferences, and maintaining the desired future condition of these river segments. Resource indicators, standards, and management actions would be developed through an environmental assessment process. (2001 John Day River Management Plan Record of Decision. Pg. 17)

Q: Will the BLM continue to monitor river use and adapt as needed?

A: River monitoring will continue in future years to track resource changes over time, provide feedback on the effectiveness of the management actions employed, as well as alert managers to the need to consider further management actions to meet standards identified in the John Day River study.

Q: The State of Oregon has determined that a portion of the John Day River is Navigable. What does this mean?

A: The State of Oregon has determined the John Day River to be navigable from Kimberly to Tumwater Falls. This means that the river’s bed and banks below the line of ordinary high water are owned by the State of Oregon and may be used by the public for water dependent uses such as boating, swimming and fishing. However, the responsibility for regulating activities taking place on the surface of the water rests with the managing agency as identified in the Wild and Scenic Rivers Act (in this case, the BLM).

Q: Do I need a boating permit if I have permission to boat into private property along the river?

A: It is necessary to obtain any required boating permit from the BLM to boat the Wild and Scenic River, even if camping occurs on private property with the permission of the landowner.

Q: If boating use is limited in the future, how will use be allocated or divided between guided and non-guided users?

A: If boating use is limited in the future, the John Day River Plan explains how use will be allocated or divided between guided and non-guided users. All users will have equal access to available permits through an on-line system. No special allocations will be made to any user group.

Q: Which rivers in Oregon currently have limits on boating use?

A: The Rogue, Lower Deschutes and Snake.

Q: When could limits on boating use begin?

A: If a limited entry permit system is necessary, advance permits on peak use days could be required in 2010.

Q: Will there be a fee for boating?

A: This decision has not been made.