

KROFT Jeff

From: vcmiller2@comcast.net
Sent: Friday, November 09, 2007 6:06 PM
To: Rogue River Comments
Subject: Rogue River Navigation.

The Rogue is navigable. Follow the law.

Von Miller

11/15/2007

KROFT Jeff

From: Michael B [bearbarger@yahoo.com]

Sent: Friday, November 09, 2007 7:38 PM

To: Rogue River Comments

Subject: Rogue River is Navigable from RM 68.5 to 157.5 Support - Public Comment

I support the DSL's preliminary finding that the Rogue River from mile 68.5 to 157.5 meets the federal test for navigability.

Michael Barger

bearbarger@yahoo.com

2876 Barbados Drive

Eugene, OR 97408-7391

ph# 541.953.8635

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KROFT Jeff

From: Lyle Annis [funhogs@web-ster.com]
Sent: Saturday, November 10, 2007 4:24 PM
To: Rogue River Comments
Subject: Rogue

I support the DSL's preliminary finding that the Rogue River from mile 68.5 to 157.5 meets the federal test for navigability.

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KROFT Jeff

From: mike mehl [tovah727@charter.net]
Sent: Saturday, November 10, 2007 5:42 AM
To: Rogue River Comments
Subject: rogue river

I support the findings of the Rogue River navigability study.
Do not deny the public access to this river.

michael mehl
medford, ore

11/15/2007

KROFT Jeff

From: Larry Kenney [lmkenney@earthlink.net]
Sent: Sunday, November 11, 2007 10:34 AM
To: Rogue River Comments
Subject: Rogue River navigability

Sirs

Hope this isn't too late as I just saw the deadline. I'm an active angler, ex-Oregonian now living in California and I support the DSL's preliminary finding that the Rogue River from mile 68.5 to 157.5 meets the federal test for navigability.

Larry Kenney
1567 Francisco Street
San Francisco CA 94123

KROFT Jeff

From: Les Fahey [faheyventures@earthlink.net]
Sent: Monday, November 12, 2007 11:08 AM
To: Rogue River Comments
Cc: garyab@penwool.com
Subject: FW: Urgent action needed to support river access rights

Gentlemen:

"I support the DSL's preliminary finding that the Rogue River from mile 68.5 to 157.5 meets the federal test for navigability."

Les Fahey

11/15/2007

KROFT Jeff

From: Bryan Sohl [bsohlmfm@mac.com]
Sent: Monday, November 12, 2007 9:24 PM
To: Rogue River Comments
Subject: rogue river

I support the DSL's preliminary finding that the Rogue River from mile 68.5 to 157.5 meets the federal test for navigability. This is great news for Oregonians.

Bryan Sohl
283 Scenic Drive
Ashland, OR

11/15/2007

KROFT Jeff

From: Steve Marko [smarko@pacificfoods.com]
Sent: Tuesday, November 13, 2007 7:19 AM
To: Rogue River Comments
Subject: rogue river support

I support the DSL's preliminary finding that the Rogue River from mile 68.5 to 157.5 meets the federal test for navigability.



Steve Marko
Research & Development | Pacific Natural Foods
19300 SW Teton Ave. | Tualatin, OR 97062
Phone (503)692-9666 | fax (503) 691-0503



Please consider the environment before printing this email.

KROFT Jeff

From: Mary Ann Kruse [maryann@junehog.com]
Sent: Tuesday, November 13, 2007 9:20 AM
To: Rogue River Comments
Subject: Rogue River navigability

I support the DSL's preliminary finding that the Rogue River from mile 68.5 to 157.5 meets the federal test for navigability.

--

Mary Ann Kruse
maryann@junehog.com

"The fault, dear Brutus, is not in the stars, but in ourselves." --Cassius

KROFT Jeff

From: Gary Bracelin [Gary.Bracelin@wedbush.com]

Sent: Thursday, November 15, 2007 9:38 AM

To: Rogue River Comments

Cc: garyab@penwool.com

Dear Sir, I fully support the DSL's preliminary finding that the Rouge River from mile 68.5 to 157.5 meets the federal test for navigability. Best Regards, Gary Bracelin

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11/15/2007

KROFT Jeff

From: Ron Dilbeck [ron@crossle.net]
Sent: Saturday, November 17, 2007 4:08 PM
To: Rogue River Comments
Cc: Gary Bensen
Subject: Rogue River navigation study (68.5 to 157.5)

I have read the DSL report regarding whether this section of river is navigable and FULLY support the findings.....that it is, indeed, navigable over that entire section of the river.

Frankly, I have a hard time understanding how anyone could refute the findings of the study when the motivation for the study was because of conflicts between landowners and the fishermen (in boats) and rafters in the river. There are many who use the river in this way.....so it is navigable. Of course, your more scientific and detailed study is more compelling than these arguments.

Ron Dilbeck
ron@crossle.net
PO Box 8011
Black Butte Ranch, OR 97759

11/19/2007

From: Greg Nee [mailto:gnee@awpi.us]
Sent: Thursday, December 06, 2007 8:53 AM
To: Rogue River Comments
Subject: Rogue River Preliminary Finding

I wholeheartedly support the DSL's Preliminary Finding that the Rogue River, from mile 68.5 to mile 157.5, meets the Federal Test for navigability.

Gregory A. Nee
Sherwood, Oregon



Jeff K.

Mayor
Ruth Keith

Councilors
Alison Curtis
Lois Holland
Gary Hughes
Bill Kyle

RECEIVED
JAN 28 2008
DEPARTMENT OF STATE LANDS

Oregon Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279

Re: Rogue River Navigability Study
Louise Solliday

Dear Ms. Solliday:

I understand that the State Land Board will consider declaring the Rogue River navigable and in state ownership throughout an 89-mile reach that includes the portion lying within the City of Shady Cove, Oregon. According to my information, the navigability study was requested in 1997 by the Josephine County District Attorney's Office, based on the perceived need to resolve frequent conflicts between property owners and recreational users of the river.

As the Chief of Police for the City of Shady Cove, I have direct experience with law enforcement and conflict resolution on the Rogue River. In my jurisdiction, we receive few complaints concerning disputes between riparian owners and recreational users. I estimate we field fewer than ten such complaints each year, and most of those are in response to hunters who discharge firearms within the Shady Cove city limits.

On the rare occasions when we respond to a conflict between a property owner and a recreational user, we use a simple enforcement guideline: The general public is entitled to use the river for recreation to the ordinary high water mark. Someone who travels above ordinary high water onto the upland (without permission) is on private property and subject to being cited for trespass. Ordinarily, we issue a warning in such cases and that resolves the matter.

I do not see that a navigability declaration is needed to resolve conflicts on the Rogue River. Instead, my concern is that a declaration of state ownership would embolden the public and make disputes more likely, and that we in Shady Cove do not have the budget nor the resources to deal with more conflicts. For those reasons, I would prefer that the Land Board not go forward with the study but rather defer to local government and law enforcement to manage conflicts on the river, as we have been doing for decades.

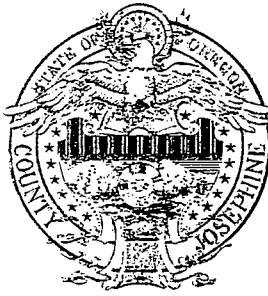
Sincerely,

 1-24-08

[Rick Mendenhall]

"The City of Shady Cove is an equal opportunity provider."

22451 Highway 62 ♦ PO Box 1210 ♦ Shady Cove OR 97539 ♦ (541) 878-2225 ♦ FAX: (541) 878-2226
E-Mail: info@shadycove.net ♦ Web Site: <http://www.shadycove.net>



DEPT OF STATE LANDS
RECEIVED
2008 FEB -8 P 2:07

*Josephine County Board of Commissioners
Commissioners Jim Raffenburg and Dwight F. Ellis*

Oregon Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279

Re: Rogue River Navigability Study

Director Solliday:

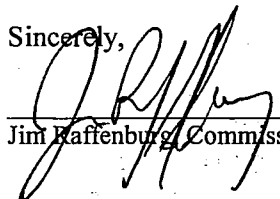
We are aware that the Department of State Lands has completed a draft report concerning the navigability of an 89-mile segment of the Rogue River. We write to express our concern with this approach, which we think is the wrong one for the Rogue River. Basically, we believe a declaration of navigability will accomplish more harm than good in Josephine County.

We question whether there is a "sufficient economic justification" or a "broad and substantial public interest," as those terms are used in ORS 274.404 and the Department's administrative rules, to justify a navigability study. The rules say that economic justification may exist if the state will receive revenue from "leasable uses." In Josephine County, much of the Rogue River is confined within steep canyons and is already managed as a Wild and Scenic River. Even in places where it would be possible to place a dock or similar structure in the river, most will be small, private structures that are exempt from the Department's leasing requirements. Because of the Wild and Scenic River designation, the state cannot expect to realize much revenue from sand and gravel leasing. Also, we feel compelled to point out that it was on state land in Jackson County that an aggregate pond located too close to the river was breached, resulting in relocation of the channel and the destruction of spawning beds and other environmental resources.

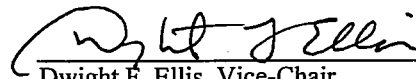
The rules also say that a "broad and substantial public interest" may exist if a navigability determination is needed to resolve conflicts between different property owners or between owners and recreational users, or to better manage environmental and natural resources, or to promote commerce. We do not see that any of these issues are in play in Josephine County. Our law enforcement personnel report that few conflicts exist between property owners and anglers or other recreationists. Recreational users are already entitled, under Oregon law, to use the river up to the ordinary high water line, and property owners understand and acknowledge this. Further, we do not see any need for the state to step in in the interests of environmental management or commerce.

In summary, local government and local law enforcement have been managing the Rogue River, its recreational use, and its riparian property ownership for a long time. We see no advantage to the citizens of Oregon or the residents of Josephine County if the state proceeds with this navigability study.

Sincerely,



Jim Raffenburg, Commissioner



Dwight F. Ellis, Vice-Chair

COURTHOUSE

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