



# Oregon

Tina Kotek, Governor

**Exhibit A.17**

**Parks and Recreation Department**  
**Scenic Waterway Program**  
10991 Wheatland Rd. NE  
Gervais, OR 97026  
(503) 910-2187  
ryan.sevey@opr.d.oregon.gov

November 9, 2023

Gary Shepherd  
600 NE Grand Avenue, Portland OR 97232



RE: Well and water treatment system construction, and existing well and water treatments system repairs. at 45°30'4.66"N 122°18'22.04"W and within the Scenic River Area of the Sandy River State Scenic Waterway (T1S – R4E – S10 – Tax Lot: 400, 800 & 1S4E 15-00200 & 1S4E 11-00200).

Greetings Gary Shepherd,

Thank you for submitting a Notification of Intent (NOI #53-233-23) to Oregon Parks and Recreation Department (OPRD) with information about a project, located at 3010 SE Oxbow Parkway Gresham, OR, 97080, and within the Sandy River State Scenic Waterway (SSW). You state that the purposes of the project are to add a well and water treatment system to supply the Welcome Center, to repair the current water system, and upgrade outdated pipes and buildings. The project goal is to update aging infrastructure and to increase water quality at the Oxbow Regional Park. The project is located within the Scenic Area of the Sandy River; as such, the applicable Oregon Administrative Rules (OARs) include general rules for all scenic waterways OAR 736-040-0035 and OAR 736-040-0040(1)(b)(B), rules specific to this section of river OAR 736-040-0075(2)(B), and the requirement for the development to be consistent with applicable Multnomah County regulations. As noted in OAR 736-040-0075(2)(B), the SSW classification requirements that must be maintained expect that scenic areas will maintain or enhance their high scenic quality, recreational value, fishery and wildlife habitat, while preserving their largely undeveloped character. After reviewing your proposal, we have determined that your project, as described in your NOI and associated site plans, will meet the criteria for this section of the Sandy River State Scenic Waterway.

The approval is subject to the following conditions:

1. This approval is based upon the NOI, site plans, and other materials submitted. Any changes to elements described herein will require further consultation. This approval does not affect any obligations you might have to other persons or agencies: local, state, or federal. For example, all required local permits must be acquired prior to making any land use changes.
2. Except for the vegetation removal necessary for construction (as described in the provided materials), disturbed areas should be revegetated with appropriate species to maintain natural scenery after project completion.
3. Construction shall begin within one year from this approval letter. If, due to unforeseen circumstances, the project cannot be started by this date, you may request a time extension. A time extension may be granted based on submittal of a revised schedule for completion.
4. The OPRD Commission shall be notified in writing when construction has commenced and completed. Notices, including photographs of the completed project, shall be sent by email to: [ryan.sevey@opr.d.oregon.gov](mailto:ryan.sevey@opr.d.oregon.gov)

Sincerely,  
Ryan Sevey

**EXHIBIT 5**