



# Marion County

## OREGON

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March 4, 2013

Senator Jackie Dingfelder, Chair  
Senate Environment and Natural Resources Committee  
900 Court St. NE, Room 407  
Salem, OR 97301

### RE: Oppose Senate Bill 401

Dear Senator Dingfelder,

We would like to convey our concern and opposition to Senate Bill 401 designating certain rivers and creeks as scenic waterways in Oregon. If SB 401 is approved, over 30 rivers and streams in Oregon including the Little North Fork Santiam River confluence with the Cedar Creek will be added to the Oregon Scenic Waterway program.

As commissioners we recognize that there are certain rivers and streams in Oregon which may require additional rules to preserve their pristine quality for the benefit of the recreating public.

However, if the concern is that suction-dredge mining has a potentially harmful impact on rivers and creeks, then state legislation should specifically address suction-dredge mining permits and not legislation that ultimately erodes the property rights of landowners bordering these scenic waterways. Once rivers and streams that are bounded by private property are added to the Oregon Scenic Waterway program, land owners will be unable to build or alter dwellings on their property without approval from the Oregon State Parks and Recreation Department. The Waterway program also requires all new development to be screened from the view of the river, limits the height of homes and even requires private driveways to be approved by the Oregon State Parks and Recreation Department.

We urge that you oppose Senate Bill 401. A blanket inclusion of over 30 rivers and streams to the Oregon Scenic Waterway program including the Little North Fork Santiam River confluence with the Cedar Creek will create unnecessary, expensive and heavy handed regulatory oversight to landowners bordering these waterways.

Respectfully,

Janet Carlson, Chair  
Commissioner

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