

Dear Senators:

I oppose SB401 and SB838.

Please make my information part of the public record.

I am submitting the Oregon Scenic Waters Stake Holders final report the legislature was to review as was required in SB606. I represented Willamette Valley miners as one of the stake holders for the yearlong study requiring one full day of each month along with state agencies department managers and environmental folks.

Here is some important information for your research and consideration before voting to pass either of these two bills.

The requirement for SB606 was to allow the Seventieth Legislative Assembly to review the Oregon Parks stake holder report. This report showed no real harm was caused by placer mining in Oregon Scenic Waters. See bottom of page 1 for stakeholders who participated.

See page bottom of page 6 for the following information:

Oregon Parks and Recreation Commission approved this concept on April 15, 2004 and submitted it to the Governor's Office for review and pre-session filing for the 73rd Legislative Assembly. The Governor's Office withdrew the concept from consideration on June 8, 2004. The Commission rescinded approval of the concept at its August 5, 2004, meeting **at the request of the League of Women Voters of Oregon** and in recognition of the Governor's decision.

SB606 had a Sunset Clause requiring a study by Oregon Parks that said it SHALL complete a review of placer mining in Oregon Scenic Waters and Oregon parks delayed the stakeholder study until the Sunset Clause in SB606 expired banning all placer mining in OSW's. At that time the Governor did not allow the legislature to review the expensive study and it was a total waste of many thousands of Oregon tax payers dollars and stakeholder time. Originally the legislature allotted over \$130,000 for this study not counting all state managers time spent. I will submit OSU professor David Bernell 2003 Ore. Parks Study for Ore. Scenic Waters in another email as it is 90 pages. The 2003 Bernell study did not condemn placer miners and was used as a guide for the stakeholder group to work through all possible issues placer miners might cause for Oregon Scenic Waters.

This is the last part of SB606 that said a study SHALL be required for the 71st OREGON LEGISLATIVE ASSEMBLY--2001 Regular Session

(19) Notwithstanding any other provision of this section, no permit or temporary permit for dredging issued by the Division

of State Lands for the purpose of recreational placer mining within a scenic waterway shall be in effect after December 31, 1999, if the review described in section 3, chapter 478, Oregon Laws 1997, has been completed and reported to the Seventieth Legislative Assembly or, if the review has not been completed and reported to the Seventieth Legislative Assembly, after December 31, 2001. - }

SECTION 2. { + Section 3 of this 2001 Act is added to and made a part of ORS 390.805 to 390.925. + }

SECTION 3. { + In order to make recommendations to better achieve the objectives and enhance the effectiveness of the Oregon Scenic Waterways System, **the State Parks and Recreation Department SHALL complete a review of the system administered under ORS 390.805 to 390.925.** At the request of the State Parks and Recreation Department, the Division of State Lands, the Water Resources Department, the State Department of Fish and Wildlife, the State Marine Board and the Department of Environmental Quality shall assist in the review. The State Parks and Recreation Department may also request interested public parties to assist in the review. + }

SECTION 4. { + This 2001 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2001 Act takes effect on its passage. + }

Thank you for your consideration,

Tom Quintal
1718 Sonya DR. SE
Salem, Oregon 97317