

## **Honorable Senators:**

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Sen Mark Hass 503-986-1714 [sen.markhass@state.or.us](mailto:sen.markhass@state.or.us)

**While you have been heavily lobbied by KS Wild and many other environmental groups which have also ardently solicited their members (a widespread web of environmentalists in the state) to send you letters and emails and phone calls; let me assure you there are at least an equal number of groups and individuals in this state to whom these bills will have a life-changing detrimental effect.**

**This, as you are surely aware, creates a ripple effect in our economy. As residents in Josephine County have watched businesses flee to greener pastures, or just simply go out of business; we also note that other states are inviting businesses to their business friendly environments.**

**Surely you can see the wisdom of having a business friendly STATE. These bills WILL severely impact the lives of thousands of Oregonians.**

**Citizens groups from Josephine County strongly URGE you to vote no and do everything to stop these bills from becoming law:**

**SB401 Designates certain rivers and creeks as scenic waterways.**

**The Riparian Zone on steroids! Ending Mining in Oregon, these are the most mineral rich water being removed. Please look at the [pictures of what 1/4 mile will look like](#)**

<http://www.galicemining.com/mining-news/SB-401-SB-388-Infringes-Upon-Your-Property-Rights.html>

Establishing a "Scenic Easement" 1/4 mile from the bank of any river, is a taking of private property or lands managed by the Federal Government, for public use without first offering compensation under the Oregon Constitution (Article I Section 18).

Mining in all of its forms are the intended use and rights of the citizens; it "shall be free and open" to prospecting, exploring, locating and occupying and purchasing the valuable mineral deposit, which includes the surface in lands open to mineral entry and belonging to the Federal Government. (30 USC 22, 26 & 35)

**SB838** A moratorium is imposed until January 2, 2018, on mining that uses any form of motorized equipment.

This will kill mining in Oregon, every miner will have to remove any motorized equipment. "any form" of motorized equipment, is so broad that it would curtail any form of mining except panning.

They can not determine how many are mining so they stop it..now there will be none!

Lines 12-14 in the bill. *"...the agencies are unable to determine the actual amount of mining that is occurring in this state, the locations of the mining, whether best management practices are used..."*

**Senate Committee On Environment and Natural Resources**

There is a Public Hearing scheduled for April 15th 3:00pm Room HRC and a Work session April 17th 3:00pm Room HRC.

How to prepare a testimony for public record <http://www.leg.state.or.us/comm/>

Submit your testimony to Beth Reiley at [Beth.Reiley@state.or.us](mailto:Beth.Reiley@state.or.us)

Request your testimony be made a part of the public record and submit by noon the previous day. The testimony must be in PDF format, your word processor allows a document to be exported as pdf files, save and attach to your email.

**Members of the Senate Committee On Environment and Natural Resources**

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I have attached testimony from Joesph Greene retired EPA researcher and recreational suction dredge miner, the claims made of harm to the environment, fish and wildlife are false! This is an outright attempt to end mining in Oregon. There is no mining during fish spawning. Miners remove and clean up waterways of trash, lead weights and other materials, improving the river bed for fish.

Many false claims are made in the relating to mining, there is no scientific evidence of harm to fish or wildlife, contrary there many studies show the opposite!

Another claim is there are too many miners, with only about 2000 miners, and the number of miles of waterway by the width, that there would be very little impact if any at all!

**The impact to Citizens property during the moratorium is not being compensated, any business in Oregon that is involved with mining will not survive, creating a loss in State revenue.**

**This is the State imposing its will on the citizens, not allowing its citizens to respond by declaring an emergency when there is none present! Article IV section 28 of the Oregon Constitution.**

**This will affect the local towns and communities as Recreational Miners will not be working their claims, along with the business related to mining in Oregon, nor will Gold be added as income to the recreational miners... this is a ripple effect that will be felt across the State. WOULD DESTROY THOUSANDS OF OREGON JOBS (full and part-time), further decimating the economy of rural Oregon.**

**If you think that this is not in your backyard and you do not need to react and respond to this **THINK AGAIN****

<http://www.leg.state.or.us/13reg/measpdf/sb0400.dir/sb0401.intro.pdf>

NOTE: Matter in **boldfaced type** in an amended section **is new**; matter [italic and bracketed] is existing law to be omitted. What is not in bold has already been taken without compensation!

SECTION 2. ORS 390.826 is amended to read:

390.826. The following lakes, creeks and rivers, or segments of rivers, and related adjacent land are designated as scenic waterways:

(1) The Metolius Scenic Waterway, which includes:

(a) The Metolius River from Metolius Springs downstream to its confluence with Candle Creek[.]; **and**

**(b) The Metolius River from its confluence with Candle Creek downstream to Lake Billy Chinook.**

(2) The Klamath Scenic Waterway, which includes the Klamath River from the John Boyle Dam powerhouse downstream to the Oregon-California border.

(3) The Clackamas Scenic Waterway, which includes:

(a) The segments of the Clackamas River from the boundary of the Olallie Lake Scenic Area, as constituted on December 8, 1988, downstream to the North Fork Reservoir, and from immediately below the River Mill Dam downstream to the bridge at Carver;

(b) The South Fork Clackamas River from its confluence with an unnamed tributary near the western boundary of section 7, township 5 south, range 5 east, Willamette Meridian, downstream to the confluence of the South Fork Clackamas River with the Clackamas River; and (c) The North Fork Clackamas River from its source downstream to the North Fork Reservoir.

(4) The McKenzie Scenic Waterway, which includes:

(a) The segments of the McKenzie River from Clear Lake downstream to Carmen Reservoir, from Tamolitch Falls downstream to Trail Bridge Reservoir and from Trail Bridge Dam downstream to Paradise Campground; [and]

(b) The segments of the South Fork McKenzie River from the boundary of the Three Sisters Wilderness, as constituted on December 8, 1988, downstream to Cougar Reservoir, and from immediately below Cougar Dam downstream to its confluence with the McKenzie River[.]; **and**

**(c) The McKenzie River from Paradise Campground downstream to the Cone Creek confluence.**

(5) The Deschutes Scenic Waterway, which includes the segments of the Deschutes River from Little Lava Lake downstream to Crane Prairie Reservoir, from the gaging station immediately below Wickiup Dam downstream to General Patch Bridge, from Harper Bridge downstream to the Central Oregon Irrigation District's diversion structure (near river mile 171), from Robert Sawyer Park downstream to Tumalo State Park, from Deschutes Market Road Bridge downstream to Lake Billy Chinook Reservoir (excluding the Cline Falls hydroelectric facility near river mile 145), and from immediately below the existing Pelton reregulating dam downstream to the confluence of the Deschutes River with the Columbia River, excluding the City of Maupin as its boundaries are constituted on October 4, 1977.

(6) The Santiam Scenic Waterway, which includes the Little North Fork of the Santiam River from the confluence of Battle Ax Creek and Opal Creek downstream to the boundary of the Willamette National Forest, as constituted on September 20, 1985.

(7) The John Day Scenic Waterway, which includes:

(a) Day River from its confluence with Parrish Creek downstream to Tumwater Falls;

(b) The North Fork John Day River from the boundary of the North Fork John Day Wilderness (near river mile 76), as constituted on December 8, 1988, downstream to the northern boundary of the south one-half of section 20, township 8 south, range 28 east, Willamette Meridian;

(c) The Middle Fork John Day River from its confluence with Crawford Creek (near river mile 71) downstream to the confluence of the Middle Fork John Day River with the North Fork John Day River; and

(d) The South Fork John Day River from the Post-Paulina road crossing (near river mile 35) downstream to the northern boundary of the Murderer's Creek Wildlife Area, as constituted on December 8, 1988 (near river mile 6).'

(8) The Illinois Scenic Waterway, which includes:

(a) The Illinois River from its confluence with Deer Creek downstream to

its confluence with the Rogue River[.];

**(b) The Illinois River from the boundary of the Rogue River-Siskiyou National Forest in section 29, township 38 south, range 8 west, downstream to its confluence with Deer Creek;**

**(c) The East Fork Illinois River from the Oregon border with California downstream to its confluence with the Illinois River; and**

**(d) The West Fork Illinois River from the Oregon border with California downstream to its confluence with Rough and Ready Creek.**

(9) The Rogue Scenic Waterway, which includes:

(a) The segments of the Rogue River from the boundary of Crater Lake National Park, as constituted on December 8, 1988, downstream to the boundary of the Rogue River National Forest, as constituted on December 8, 1988 (near river mile 173), and from the confluence of the Rogue River with the Applegate River downstream to Lobster Creek Bridge[.]; **and**

**(b) The Rogue River from its confluence with Bear Creek downstream to the confluence of Bear Creek with Applegate River.**

(10) The Umpqua Scenic Waterway, which includes the segments of the North Umpqua River from the boundary of the Mt. Thielsen Wilderness, as constituted on December 8, 1988, downstream to Lemolo Reservoir, and from the Soda Springs Dam powerhouse downstream to its confluence with Rock Creek (near Idleld Park).

(11) The Nestucca Scenic Waterway, which includes:

(a) The Nestucca River from immediately below the McGuire Dam downstream to its confluence with East Creek (near Blaine); and

(b) Walker Creek from its source downstream to its confluence with the Nestucca River.

(12) The Wallowa-Grande Ronde Scenic Waterway, which includes:

(a) The Grande Ronde River from its confluence with the Wallowa River downstream to the Oregon-Washington border; [and]

(b) The Wallowa River from its confluence with the Minam River downstream to the confluence of the Wallowa River with the Grande Ronde River[.]; **and**

**(c) The Grande Ronde River from its headwaters to the boundary of the WallowaWhitman National Forest in section 15, township 4 south, range 35 east.**

(13) The Minam Scenic Waterway, which includes the Minam River from Minam Lake downstream to its confluence with the Wallowa River.

(14) The Elk Scenic Waterway, which includes:

(a) The Elk River from the confluence of the North Fork Elk River and

South Fork Elk River downstream to the Elk River fish hatchery;  
(b) The North Fork Elk River from its source downstream to its confluence with the South Fork Elk River; and  
(c) The South Fork Elk River from its source downstream to its confluence with the North Fork Elk River.

(15) The Owyhee Scenic Waterway, which includes:

(a) The South Fork Owyhee River from the Oregon-Idaho border downstream to Three Forks; and  
(b) The Owyhee River from Crooked Creek (near river mile 118) downstream to the mouth of Birch Creek (near river mile 76).

(16) The North Fork of the Middle Fork Willamette Scenic Waterway, which includes:

(a) The North Fork of the Middle Fork Willamette River from Waldo Lake downstream to a point one mile upstream from the railroad bridge near the town of Westfir[.]; **and**

**(b) The Middle Fork Willamette River from Timpanogas Lake downstream to Hills Creek Lake.**

(17) The Waldo Lake Scenic Waterway, which includes Waldo Lake in Lane County.

**(18) The Brice Creek Scenic Waterway, which includes Brice Creek from its headwaters to Row River.**

**(19) The Briggs Creek Scenic Waterway, which includes Briggs Creek from its headwaters to its confluence with the Illinois River.**

**(20) The Cedar Creek Scenic Waterway, which includes Cedar Creek from its headwaters to its confluence with the Little North Fork Santiam River.**

**(21) The Chetco Scenic Waterway, which includes the segment of the Chetco River from the Kalmiopsis Wilderness boundary in section 5, township 38 south, range 11 west, downstream to the United States Forest Service boundary below Wilson Creek.**

**(22) The Cow Creek Scenic Waterway, which includes Cow Creek from Tunnel Creek downstream to its confluence with the South Umpqua River.**

**(23) The Eagle Creek Scenic Waterway, which includes Eagle Creek from its headwaters in the Eagle Cap Wilderness downstream to the United States Forest Service boundary in section 7, township 8 south, range 45 east.**

**(24) The Elk Creek Scenic Waterway, which includes Elk Creek from its headwaters to its confluence with the South Umpqua River.**

**(25) The Grave Creek Scenic Waterway, which includes Grave Creek from its headwaters downstream to its confluence with the Rogue River.**

**(26) The Silver Creek Scenic Waterway, which includes:**

**(a) Silver Creek from its headwaters to its confluence with the**

**Illinois River;**

**(b) The North Fork Silver Creek from its headwaters to its confluence with Silver Creek; and**

**(c) The South Fork Silver Creek from its headwaters to its confluence with Silver Creek.**

**(27) The Josephine Creek Scenic Waterway, which includes Josephine Creek from its headwaters to its confluence with the Illinois River.**

**(28) The Little Applegate Scenic Waterway, which includes the Little Applegate River from its headwaters to its confluence with the Applegate River.**

**(29) The Molalla River Scenic Waterway, which includes the Molalla River from the Bureau of Land Management boundary in section 19, township 7 south, range 4 east, downstream to the Bureau of Land Management boundary in section 7, township 6 south, range 3 east.**

**(30) The North Fork Burnt River Scenic Waterway, which includes the North Fork Burnt River from its headwaters downstream to the United States Forest Service boundary next to Unity Reservoir.**

**(31) The Quartzville Scenic Waterway, which includes Quartzville Creek from its headwaters to Green Peter Lake.**

**(32) The Rough and Ready Scenic Waterway, which includes:**

**(a) The Rough and Ready Creek from the confluence at the north and south forks of Rough and Ready Creek downstream to its confluence with the West Fork Illinois River;**

**(b) The North Fork Rough and Ready Creek from its headwaters to its confluence with the South Fork Rough and Ready Creek; and**

**(c) The South Fork Rough and Ready Creek from its headwaters downstream to its confluence with the North Fork Rough and Ready Creek.**

**(33) The Sandy Scenic Waterway, which includes the Sandy River from the Mount Hood Wilderness boundary downstream to its confluence with the Bull Run River.**

**(34) The South Fork Alsea Scenic Waterway, which includes the South Fork Alsea River from its headwaters to its confluence with the North Fork Alsea River.**

**(35) The South Umpqua Scenic Waterway, which includes the South Umpqua River from Castle Rock Fork downstream to the Highway 42 bridge.**

**(36) The Sucker Scenic Waterway, which includes Sucker Creek from its headwaters to its confluence with the East Fork Illinois River.**

**(37) The Yachats Scenic Waterway, which includes the Yachats River from its headwaters to the Pacific Ocean.**

**(38) The Applegate Scenic Waterway, which includes the Applegate River from immediately below Applegate Lake to the confluence with Forest Creek.**

***"The price of freedom is eternal vigilance."—Thomas Jefferson***

OregonLiberty Coalition (OLC) is a statewide Coalition of local, autonomous, non-partisan patriot groups established to advance and strengthen the Founding principles and God-given rights predicated in the U.S. and Oregon Constitutions. Our mission is to encourage and facilitate citizen participation in the political process and empower all citizens with a voice and influence in demanding Constitutional governance. OLC will help local, independent groups grow in numbers and influence and nurture communication and collaboration among patriot and freedom supporting groups.

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Congressional District 4 Calendar: <http://bit.ly/Oregon-CD4LibertyCalendar>

Statewide Calendar of Events - <http://bit.ly/OregonLibertyCalendar>