

May 20, 2013

Senate Environment and Natural Resources Committee



Statement of opposition to HB 2841-A

Chair Dingfelder and Committee Members:

Rogue Riverkeeper is a non-profit organization that works to protect and restore water quality and fish populations in the Rogue River Basin of southwest Oregon.

We oppose HB 2841-A as it undermines fair and equal treatment of the public in agency rulemaking by creating a special consultation process for one segment of the regulated community – recreational and small scale mining. The bill would also nullify orders if an agency has not complied with the requirements of the consultation.

The current rulemaking process is legally required to be open to all members of the public to participate. We are not aware of any other interest group that has been afforded this advanced consultation prescribed in statute. Agencies already frequently convene stakeholder groups to confer with in advance of rulemaking on issues related to mining or other sectors. This is a more flexible process that works well without constraining agencies to give preferential treatment to one interest group over the public at large.

Waters of the state, beds and banks of waterways belong to the public, held in trust by the agencies to protect. All residents of the state have a stake in this and all should have equal access and opportunity to consult on issues affecting our waters.

There should be no special treatment for one particular permitted activity or group.

Given the current either free or \$25 permitting of recreational mining, the proliferation, lack of enforcement – this is a regulated community that has already been most effective it promoting their position.

Thank you for your consideration and we urge you not to advance HB 2841-A.

Respectfully,

A handwritten signature in red ink, appearing to read "Forrest English".

Forrest English
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