



**LEAGUE OF WOMEN VOTERS®
OF OREGON**

June 5, 2013

To: House Committee on Rules
Representative Chris Garrett, Chair
Members of the Committee

Re: HB 3536 – Special Approval for Single “Heritage Guest Ranch”, including Water Rights authorization:
OPPOSED

The League of Women Voters is a nonpartisan, grassroots political organization that encourages informed and active participation in government. The League has long-standing positions in support of our statewide land use planning program with local implementation. We believe that the state should have the primary responsibility for establishing the broad framework of planning goals and are responsible to assure local comprehensive plans do not violate those goals. Local and regional governments have the responsibility for creating local plans within these guidelines after extensive engagement with their citizens. Then they have the responsibility to implement these plans on behalf of their communities.

HB 3536 again sets up the legislature as the Oregon Planning Commission, a role inappropriate for this body. It is the responsibility of the legislature to set policy and guidance to state agencies, but the League believes it is not the role of the legislature to set special conditions for ONE project. This bill authorizes this project “as an outright permitted use” per page 2, line 7. It then sets up a series of conditions or requirements for this specific project—a role of the local government should they choose to approve such a project. An outrage in the bill is the proposals on page 3, lines 12-20, where the developer seems to be buying approval for the project. Again, any negotiations surrounding possible local impacts should be a part of a local process.

The League is also concerned about page 3, lines 21-24, where “the developer or owner is entitled to receive a ground water right”. Both surface and ground water rights are issued after clear criteria and consideration of the scientific impact of any rights to others and to the stream or ground water. The legislature should not be a part of making this important decision without going through the same process that the Water Resources Department does during its consideration of water rights applications.

The League has consistently objected to these “one off” development proposals as bills before the legislature. We will continue to object to this upending of Oregon’s land use program and, in this case, upending the water rights application process. We ask that you reject HB 3536 and not send it forward.

Sincerely,

Robin Wisdom
President

Peggy Lynch
Natural Resources Coordinator

cc: Representative John Huffman
Richard Whitman, Governor’s Natural Resources Advisor