

From: Jim Clinton
To: [SENR Exhibits](#)
Subject: HB2027A
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Chair Dembrow, Senators Olsen, Baertschiger, Prozanski, Roblan,

Please support HB2027A and recommend its passage by the full Senate.

This reach of the Deschutes River is Bend's only designated Oregon State Scenic Waterway. Because of its special and unusual natural resources, Oregon has rightfully given this segment long standing protection against bridges and incompatible development.

Despite an outright ban on bridges included in the applicable OAR, Bend Parks & Rec (BPRD), which is not part of the City of Bend, has pursued the construction of a bridge and continues to advance various schemes to circumvent or subvert the OAR ban on bridges. They have engaged Oregon Parks & Rec to conduct a public process to lay the groundwork for a reopening of the rules, hoping for overturning the bridge ban. Unfortunately for BPRD, the inclusive and fairly comprehensive public process overwhelmingly supported "NO BRIDGE".

In Oregon, we like local control whenever reasonable. But our rivers belong to all Oregonians and a legislative repair is needed. The Scenic Waterway in this segment is protected by the State because the highest and best use is to remain as natural as possible from development and over-use. In this case, the integrity of the entire Scenic Waterway designation and management system is in jeopardy from over-reach by a local district.

Some things we have observed as as this issue has developed over the past 6 months or so:

1. Most of the comments from bridge supporters and opposing HB2027A indicate a general approval of more trails and bridges but don't really know anything about the proposed location.
2. People generally favoring more trails and bridges often change their minds once they learn about the unique wildlife habitat and scenic values of this river segment. In many sensitive places along the river, degradation has occurred because of poor BPRD management of trails. People familiar with this degradation and who know this unique segment properly see this location as a bad place for a bridge.
3. Many people don't understand that about a mile downstream from this segment, BPRD already has a bridge and trails on both sides of the river. The cited justification for another bridge or bridges is convenience for those east of the river who are headed west for exercise but apparently not up to making the short trek to the existing bridge.

4. Many people think another bridge would "complete" the river trail. In fact, the river trail now contains, and always will, a number of missing sections due to topography and lack of easements on private property.

5. Many people gloss over the condemnation of private property aspect of BPRD plans. There is no tradition in Bend, or in fact in Oregon, of a taxing district condemning private property for a trail. Please understand that this is recreation trail, not significant for Bend's transportation system. People OK with condemnation apparently fail to ask themselves how they would like it if their own property was in the cross hairs. BPRD's threats of condemnation is unseemly for a public agency.

6. Many people have gotten riled up about everything except the actual substance of this issue. As you know throwing up a fog is a good tactic when supporting a position that sinks because of its own lack of merit.

Thank you for your consideration in protecting the integrity of the Scenic Waterway program, especially in Bend where such protection is vitally needed.

Jim Clinton
Former Mayor of Bend, 2012-2016