



## CITY OF BEND

May 8, 2017

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Senator Michael Dembrow, Chair  
Senate Committee on Environment and Natural Resources  
900 Court Street NE, Room 347  
Salem OR 97301

RE: Testimony from the City of Bend on HB 2027A

Dear Chair Dembrow and Honorable Members of the Oregon Senate Committee on Environment and Natural Resources:

Thank you for the opportunity to provide testimony on HB 2027A. HB 2027-A pertains to an area of the Deschutes River that is located within the City of Bend Urban Growth Boundary (UGB), including the Deschutes River Trail. The Deschutes River Trail has been included in City of Bend and Bend Park and Recreation District plans for decades.

In 1993, the State of Oregon Land Conservation and Development Commission (LCDC) adopted the Transportation Planning Rule (TPR). The TPR directed cities and counties in the state to adopt Transportation System Plans (TSP). In accordance with this mandate, the City of Bend adopted the Bend Urban Area – Transportation System Plan in 2000.

Upon reviewing the TSP, and when also considering public comments concerning the plan, the Department of Land Conservation and Development (DLCD) issued a Remand Order in 2001 directing the City to address certain deficiencies in the bicycle and pedestrian circulation system that did not meet TPR requirements to reduce out of direction travel, provide access and mobility opportunities for non-motorized travel, and reduce vehicle miles traveled. The city addressed the remand by creating an extensive accessway plan, including walking and bicycling bridge and connecting trails. The accessway plan was adopted and incorporated in the TSP, which was subsequently acknowledged by DLCD.

Oregon Administrative Rules (OARs) and City/County development codes are in place to provide substantial planning and design guidance both within and outside the UGB. If a walking and bicycling bridge is permissible, the City intends this area will be evaluated for possible impacts to wildlife, infrastructure and others like the rest of the areas within and outside Bend along the Deschutes River Trail. These evaluations

include public involvement and opportunities for community members to participate directly. All development near the river is subject to a public hearing. This area is included in the City's Waterway Overlay Zone (WOZ) which provides many of the same protections as the Wild and Scenic designation, including minimum setbacks from the river, limitations on tree removal and strict requirements for protecting and enhancing riparian vegetation along the river bank. Unlike the Wild and Scenic protection measures where the Wild and Scenic rules may be disregarded after waiting for one year after notifying the state, the Bend WOZ regulations are permanent. The WOZ protections show Bend's ongoing effort to protect the Deschutes River.

The City is committed to public engagement and will continue to work with our agency partners to seek community involvement and address concerns if a bridge project is possible in the future. The City welcomes the opportunity to learn directly from those who differ in their viewpoints about this project.

Thank you for considering our testimony.

Respectfully,



Eric King, City Manager  
City of Bend