

From: Kreg Lindberg
To: [SENR Exhibits](#)
Subject: Testimony in support of HB 2027
Date: Tuesday, May 09, 2017 2:00:26 PM
Attachments: [image002.png](#)

Dear Chair Dembrow and members of the Senate Committee On Environment and Natural Resources:

Should Oregon's state scenic waterway program have substance? I believe that is the key question facing the Senate in its vote on HB 2027.

The Upper Deschutes Wild and Scenic River and State Scenic Waterway Comprehensive Management Plan (CMP), completed in 1996, was signed by the governor and reflects extensive work by six state agencies, as well as multiple federal agencies and other entities.

State agency staff and leadership made a clear decision in favor of maintaining the area's outstanding remarkable values, including those associated with wildlife and with recreation that does not involve the high levels of use one sees in areas managed by local parks agencies such as the Bend Park and Recreation District (BPRD).

Two rules were established to maintain the outstandingly remarkable values. First, bridges were prohibited. Second, a recreation capacity (maximum level of recreation use) was established.

BPRD's proposed bridge would clearly violate the bridge prohibition. It almost certainly would violate the recreation capacity.

BPRD asked to be exempted from the bridge prohibition. After going through a public process, Oregon State Parks denied that request. Unfortunately, that decision "lacked teeth" insofar as BPRD can – and has indicated it will – ignore the bridge prohibition via the "wait 12 months" loophole.

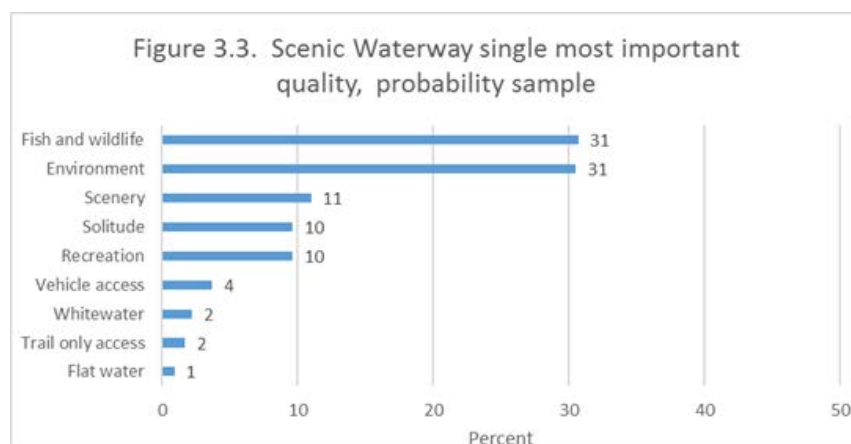
This is a state scenic waterway with clear state jurisdiction. BPRD is saying, in essence, that they should not be bound by the decisions of state agencies. I ask the Oregon Senate to "put teeth" into state scenic waterway rules via HB 2027. I ask you to save this special area from Bend Parks and Rec.

An important related issue is whether state scenic waterways should serve the goals of Oregonians as a whole or the interests of a local park and recreation agency, one that is misleading the public on this issue.

The best available measure of statewide citizen priorities for state scenic waterways comes from a 2014 survey, in which non-motorized boaters were asked the single most important quality for a waterbody to be included in the state scenic waterway program (the report is available at https://www.oregon.gov/oprd/Trail_Programs_Services/Documents/Nonmotorized_Boater_Participation_Priorities.pdf).

As shown in the graph below, "Opportunities for recreation" was reported as the most important quality for 9.6% of respondents (rounded to 10% in the graph). This is the priority that BPRD seeks to serve with the bridge.

Another 9.6% said "Opportunities for solitude (few other people recreating)" is the most important quality, while 30.5% said "Natural environment" is most important and 30.7% said "Habitat for fish and wildlife" is most important. HB 2027 sustains these qualities, which, combined, are prioritized as most important by 71% of Oregonians.



At the local level, Oregon State Parks conducted two processes in Bend. In the 2015 process seeking input on exempting BPRD from the bridge prohibition, the majority of public comments were to sustain the bridge prohibition. In the 2017 process involving an online comment form, more than twice as many comments were to sustain the bridge prohibition than to allow a bridge. In short, statewide and local public input has favored the protection that is central to HB 2027.

The Senate will hear from BPRD and from Central Oregon residents who favor the bridge. I understand that people like trails. BPRD has been selling the bridge on that “mom and apple pie” concept – people like trails, so let’s build the bridge. The key point here is that BPRD is “selling” the bridge and has been relying on misleading and selective information to “make the sale.”

BPRD’s May 6 email to district residents illustrates this. BPRD said the Deschutes River Trail (DRT) could be blocked by HB 2027, and BPRD asked residents to “contact the Senate Environment and Natural Resources Committee to share your concerns.” However, BPRD did not say that the bridge would:

- be in a state scenic waterway;
- violate the bridge prohibition;
- almost certainly would violate the recreation capacity; and
- require violating private property rights by condemning private land.

BPRD also did not say that:

- the DRT already exists in that area, with an east-west connection via two existing bridges and the “haul trail”;
- Oregon Department of Fish and Wildlife (ODFW) is opposed to the bridge due to wildlife concerns;
- Oregon State Parks already has denied BPRD’s request for a bridge; and
- unless HB 2027 passes, BPRD intends to proceed with the bridge regardless of the outcome of public processes and decisions by state agencies against the bridge.

BPRD asserts that their 2012 bond measure and survey results indicate public support for the bridge. However, BPRD’s own 2012 summary of the bond measure made no reference to a bridge, let alone a bridge with the qualities noted in the bulleted points above. I do not believe any of their survey questions has indicated the qualities noted in the bulleted points.

In short, BPRD is using misleading and selective statements to try to convince residents and the Oregon Senate to support the bridge. I believe this reflects BPRD’s recognition that neither the public nor the Senate would support the bridge if BPRD were forthright and transparent.

I encourage you to sustain agency-level protections for this state-designated area by raising the bridge prohibition to the level of statute. Please send a message that state regulations are to be respected – by “giving teeth” to the bridge prohibition via passage of HB 2027.

Thank you for your consideration.

Kreg

Kreg Lindberg
Bend resident

PS – I submit this testimony as a private citizen, not speaking on behalf of any organization. The following provides context on my perspective. I have been heavily involved in outdoor recreation in Central Oregon since 2003, including in the following roles:

- Recreation and tourism representative to the Deschutes Provincial Advisory Committee, chartered by the US Secretary of Agriculture.
- Recreation and tourism representative to the Deschutes Collaborative Forest Project, formed subsequent to the federal Collaborative Forest Landscape Recreation Act.
- Participant in Sen. Ron Wyden’s Recreation Assets Committee.
- Board member for two local non-profits active in trail recreation; founding board chair for one.
- Forestry professor with a specialization in outdoor recreation, tourism, and survey research.
- Contractor to Oregon State Parks to conduct surveys of outdoor recreation participation and priorities.

With respect to the bridge, I testified at the October, 2015, Oregon State Parks public meeting in Bend and at the November, 2015, Oregon State Parks commission meeting in Hood River. I participated in the Oregon State Parks Upper Deschutes Advisory Group process this year.