



May 9, 2017

Honorable Michael Dembrow, Chair
Senate Committee on Environment and Natural Resources
State Capitol
900 Court Street NE
Salem, OR 97301

Oregon Natural Desert Association testimony on State Scenic Waterways

Chair Dembrow and Committee Members:

Thank you for the opportunity to provide written testimony on the importance of our system of State Scenic Waterways and the relationship between that system and HB2027-A. Oregon Natural Desert Association (ONDA) is a not-for-profit conservation organization based in Bend that exists to protect, defend and restore Oregon's high desert on behalf of our more than 10,000 members and supporters from across Oregon and beyond.

Earlier this year we provided the following letter to the Oregon Parks and Recreation District regarding the potential for re-opening the rulemaking process for the Upper Deschutes State Scenic Waterway. We encourage you to consider the concerns expressed in this letter as they continue to be both valid and relevant to your consideration of HB2027-A.

Sincerely,

A handwritten signature in black ink that reads "Dan Morse".

Dan Morse
Conservation Director
Oregon Natural Desert Association
50 SW Bond St., Ste 4
Bend, Oregon 97702
dmorse@onda.org



April 6, 2017

Oregon Parks and Recreation Department Commission
Oregon Parks and Recreation Department Director Lisa Sumption
c/o jen.busey@oregon.gov

Chris Havel
Oregon Parks and Recreation Department
chris.havel@oregon.gov

725 Summer St. N.E. Suite C
Salem, OR 97301

Re: Upper Deschutes State Scenic Waterway limited segment review

To Whom It May Concern:

Thank you for the opportunity to provide input on the Upper Deschutes State Scenic Waterway limited segment review and the consideration of whether or not to re-open the rulemaking process for the Upper Deschutes. Oregon Natural Desert Association (ONDA) is a not-for-profit conservation organization based in Bend that exists to protect, defend and restore Oregon's high desert on behalf of our more than 10,000 members and supporters from across Oregon and beyond. Because the Upper Deschutes is on the periphery of our area of geographic focus, our interest in the Upper Deschutes limited segment review relates primarily to the potential precedent a rulemaking process could create for other State Scenic Waterways with a River Community designation.

River Community river segments play the important role of providing protections to Oregon waterways in close proximity to urban or otherwise developed areas. The designations facilitate protection of wildlife and other natural resources while also allowing for recreation opportunities and other forms of public enjoyment. In areas like Crooked River Ranch along the Middle Deschutes River, the River Community segment designation provides sensible guidance for future development that enhances both natural and community values (OAR 736-040-0072). The foresight of Oregonians to establish these State Scenic Waterway segments and their deliberate management approaches have helped preserve the natural environment that so many Oregonians cite as a primary reason for choosing to live, work and play in our state. Like the City of Bend, many communities across the state derive tremendous benefits from state scenic waterways and their continued, thoughtful management. A decision to re-open the rulemaking process for the Upper Deschutes risks unnecessary revisiting of the rules for other river segments, like the Middle Deschutes, that serve the public interest as currently enacted.

While there is wisdom in ascertaining that our systems of laws and policies continue to serve the public interest, there is also wisdom in honoring the original intent of carefully considered legislation and rules. In the case of River Community river segments this original intent was to ensure that growing communities didn't undermine the very river values that, in part, would attract such growth over time.

It would be an unfortunate precedent to re-open the Oregon State Scenic Waterway rules in this or similar instances where a specific proposed development is found to be inconsistent with the rules. The strength of the State Scenic Waterways Act and rules rests in their consistent application over time in a manner in line with the original intent of each river's designation.

Based on these concerns about the intent of the River Community designations and potential precedent for other river segments across Oregon, ONDA opposes reopening the State Scenic Waterway rules for the Upper Deschutes. ONDA remains strongly committed to the protection of natural resources in and near Oregon's rivers and streams and we support their appropriate use and enjoyment by all Oregonians. We thank the Upper Deschutes Advisory Group for your efforts in this process and urge you not to recommend re-opening the rules.

Sincerely,

A handwritten signature in black ink that reads "Dan Morse". The signature is written in a cursive, flowing style.

Dan Morse
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