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To: HAGNR Exhibits
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Feb. 6, 2018
House bill 4029
House Committee on Agriculture and Natural Resources

Dear Chair Clem, Vice-Chairs McLain and Sprenger and Members of the Committee:

I support HB 4029. Oregon State Scenic Waterway (SSW) and Upper Deschutes Wild and Scenic River rules were passed by public referendum, the state legislature and the governor to protect the wildlife, fish and recreational qualities of the river. These rules are under attack by Bend Parks and Recreation District (BPRD). They want to build a bridge where none are permitted (OAR 736-040-0073). HB 4029 is necessary because of the aggressive push by BPRD to nullify the long standing OAR protections.

Living in Bend for over 20 years, I've been on numerous committees to codify rules for river protection such as the Bend's Water Over Lay zone and just recently I was on the Upper Deschutes Advisory Group (UDAG) which studied the rules of Oregon's State Scenic Waterway (SSW). This group was formed by Oregon Parks and Recreation Dept. (OPRD) at the request of BPRD. The final UDAG report stated that a majority of public comments were in favor of more protects for the river not less. Thus the director of OPRD decided to not open the SSW rules. This bill is a fulfillment of the desire for more river protection. There have been numerous public processes seeking public comments regarding a bridge over the Deschutes within the SSW. Below is a summary of those public processes.

The SSW is about protecting the river and its values. It does not protect homeowner's views, or those who want a bridge to access the other side for convenience, it doesn't help BPRD nullify SSW rules or allow US Forest service to OK a bridge. It does protect the views of those on the river, wildlife and vegetation within its boundaries and the values as outlined in the rules and management plan. HB 4029 is necessary to strengthen the OAR prohibiting bridges in this section of river.

Oregon is famous for its rivers, the Deschutes one of the finest. It supports an array of animals ranging from elk and eagles to bobcats and fish. Some sections of the Deschutes are well protected others have been negatively impacted by logging, grazing and development. Now we are trying to

find the right balance between recreation and wildlife. Since the river and its wildlife can't speak for themselves we must speak for them, which is why HB 4029 is so important. It seeks to find that balance through a cooperative process between interested parties in finding a river trail from Bend to Sunriver, avoiding the sensitive important wildlife section south of Bend. This stretch of the Deschutes is home to river otters, beaver, trout, spotted frogs and more. In nearby trees are nesting golden and bald eagles and a Blue heron rookery. Deer and elk use this area for a migration route, coyotes raise their pups. This truly is a unique area that deserves more protection.

It is inspirational to see bipartisan support in protecting this section of the Deschutes River. Please vote in favor of HB 4029.

Thank you for your attention,
Judy Clinton Bend, Oregon

Summary of Public Process for Amending Oregon SSW

- 1) Sept. 9, 2015 BPRD requests State Parks to amend OAR 736-040-0077 to allow a bridge in the Upper Deschutes State Scenic Waterway (SSW). In response, state Parks opens a formal rulemaking process that includes public comment.
- 2) Oct. 7, 2015 The Bend Bulletin publishes an article by Scott Hammers, announcing the Oct. 28 "Public hearing on Deschutes River canyon crossing"
- 3) Oct. 28, 2015 State Parks holds a public meeting (at BPRD headquarters in Bend) on BPRD's request to allow a bridge. Public comments also were welcomed via email and postal mail.
- 4) Oct. 29, 2015 The Bend Bulletin publishes an article by Scott Hammers, noting that most of the public feedback at the Oct. 28 public meeting expressed opposition rather than support.
- 5) Feb. 2016 Oregon State Parks and Recreation Commission decides not to change the rules to allow the bridge. That concludes the first public process.
- 6) Dec. 2, 2016 OPRD holds a public meeting in Bend about the Upper Deschutes SSW as a restart to the amendment process with an advisory committee looking at all the rules covering the river community segment of the Upper Deschutes SSW.
- 7) Dec. 16, 2016 Start of Upper Deschutes Advisory Group (UDAG) assembled by facilitator for OPRD continues through May 2017 with 6 meetings.