

HB 4029 -1, -2 STAFF MEASURE SUMMARY

House Committee On Agriculture and Natural Resources

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/8, 2/15

WHAT THE MEASURE DOES:

Prohibits bridge construction on the Deschutes River within certain segments of the Deschutes Scenic Waterway. Directs the Oregon Parks and Recreation Department (OPRD) to study and make recommendations to the Legislative Assembly by September 15, 2019, on recreational trail routes connecting Bend and Sunriver. Directs OPRD to study three rivers each biennium and submit biennial reports to the Governor recommending the designation of additional rivers or river segments as scenic waterways. Requires OPRD to submit an initial report no later than September 15, 2020. Takes effect 91 days after adjournment sine die.

REVENUE: No revenue impact

FISCAL: Has fiscal impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Removes the requirement for Oregon Parks and Recreation Department to study three rivers each biennium and submit biennial reports to the Governor recommending designation of additional rivers or river segments as scenic waterways. Creates a prohibited reach exception for the existing Benham Falls bridge crossing for the study on recreational trail routes connecting Bend and Sunriver. Corrects an erroneous cross-reference in statute.

REVENUE: No revenue impact

FISCAL: Has fiscal impact (Fiscal Lite issued)

-2 Replaces the measure. Establishes the Task Force on Recreation Along the Deschutes Scenic Waterway (Task Force). Specifies Task Force membership. Requires the Task Force to: develop options for a recreational trail alignment along or near the Deschutes River from Sunriver through Bend; identify state regulations that must be changed to accomplish the proposed trail alignment; and provide an evaluation of past, present, and future conditions affecting the Deschutes Scenic Waterway and identify ecological impacts of the proposed trail alignment. Requires that the Task Force incorporate, to the extent possible, prior studies or planning on similar issues affecting scenic waterways that have been conducted by state or local bodies. Requires that the State Parks and Recreation Department provide staff support to the Task Force. Specifies Task Force members are not entitled to compensation or reimbursement for Task Force expenses. Prohibits bridge construction on the Deschutes River within certain segments of the Deschutes Scenic Waterway through January 2, 2021. Sunsets the Task Force on December 31, 2019. Takes effect on the 91st day after adjournment sine die.

REVENUE: No revenue impact

FISCAL: Has indeterminate fiscal impact

BACKGROUND:

In 1970, Oregonians voted to establish the Scenic Waterways Program to balance waterway protection and use through cooperation between federal, state, and local agencies as well as individual property owners and those who recreate along a waterway. ORS 390.835 declares that the highest and best uses of the waters within scenic waterways are recreation, fish and wildlife uses, and directs that the free-flowing character of these waters be

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maintained in quantities necessary for these uses. The program is administered by the Oregon Parks and Recreation Department and currently includes approximately 1,200 miles on 22 waterways.

Proposals to limit bridge construction on segments of the Deschutes River are not new to the legislature. In 2017, House Bill 2027 prohibited the construction of any bridge within designated areas of the state scenic waterway. The bill received public hearings in committees of the Senate and House of Representatives, and passed the full House of Representatives.