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**TO: House Committee on Agriculture and Natural Resources**  
**RE: OPPOSITION testimony to HB 4029**

I am writing in opposition to HB 4029 that is scheduled for hearing before the House Committee on Agriculture and Natural Resources on Thursday morning, February 8, 2018. In addition to my written submission, I may appear before the committee in person to summarize my comments.

The Deschutes River Trail (“DRT”) and the subject South UGB Bridge river crossing have a long history of local community planning and public discussion that continues today and that I have described below. A March- April 2017 a BPRD statistically valid community-wide survey demonstrated strong support for the proposed South UGB Bridge. The Bend Bulletin has run numerous editorials and Op Ed pieces questioning the arguments and motives of HB 4029 proponents. HB 4029 is preemptory and unnecessary legislation that should die in the House Committee on Agriculture and Natural Resources.

I worked at the Bend Park and Recreation District (“BPRD”) for twenty-four years as Outdoor Programs Manager, Long Range Planner and for my final ten years as Director of Planning and Development, retiring in February 2013. During that time 65 miles of the 95-mile Bend Urban Trails Plan were developed. The first element of the plan, a leg of the DRT lying along the river on the Tumalo Irrigation District flume north of NW First Street, was finished in fall 1987. I attended the trail dedication ceremony on New Years’ Day 1988 and recall Vince Genna, then BPRD Executive Director, sharing his vision for an approximate 30 mile long DRT connecting unincorporated Tumalo and Tumalo State Park in the north to the USFS trails at the Bend UGB in the south and beyond to Sunriver. Recently the Oregon parks and Recreation Department (“OPRD”) working with BPRD has completed the northern section of the river trail that lies near my home. HB 4029, with its prohibition of the planned South UGB pedestrian and bicycle bridge would bring a halt to the long standing community dream of a continuous river trail and the significant progress toward fruition that has been made in the past 30 years.

#### **Local Deschutes River Trail Planning**

Several community-wide planning efforts involving extensive citizen participation and resulting in adopted plans that incorporate the DRT and its South UGB trail crossing were conducted by BPRD and City of Bend during the time I worked at BPRD. Among them are the 1995 Bend Urban Trails Plan, the 2000 Bend Transportation System Plan (“BTSP”), the 2006 amendment to the BTSP, the 2002 Deschutes River Trail Action Plan, the 2005 BPRD Comprehensive Plan, the 2007 BPRD Urban Trails Plan and the 2012 BPRD Comprehensive Plan revision. Several community wide, statistically-valid surveys in support of these planning efforts were conducted by BPRD. For example, **69% of respondents to the survey conducted in the preparation of the 2005 BPRD Comprehensive Plan were either “very supportive” or “supportive” of “completing the Deschutes River Trail”.**

The 1999 Bend Community Riverway Vision, which included broad community participation and led to the 2002 Deschutes River Trail Plan, states that, “USFS and BLM lands are within a 10 - 15 minute drive from Bend... But many people have commented that **the ability to walk to a recreation amenity** is very important to them.” This sentiment is reinforced in the Statewide Comprehensive Outdoor Recreation Plan (“SCORP”). See below.

The Bend 2030 Vision developed with broad community participation in 2005-06 includes as a goal: “**Interconnected Trail System**. Bend has completed a citywide, fully interconnected ‘urban trails’ system that links walkers, runners and bicyclists to local parks and recreation facilities, open spaces, and other destinations through sidewalks, paths, water trails, and greenbelt corridors. This system provides public recreational access throughout the city while protecting the environment. **Bend has regionally coordinated trail systems that connect cities and provide access to adjoining city, state and federal lands.**”

Subsequent surveys have demonstrated growing levels of support for the DRT and the South UGB trail crossing. In April 2014, BPRD direct-mailed a survey questionnaire to 872 households on both sides of the river in the vicinity of the proposed trail bridge crossing. 318 responses to the survey were returned. 90% of respondents live within convenient walking or biking distance of the proposed pedestrian/bike bridge. **78% were “very likely” to use the bridge and another 12% were somewhat likely.**

In March and April 2017, BPRD conducted a community wide, statistically-valid survey in preparation for its 2017 Comprehensive Plan revision. In response to the question “How supportive are you of having BPRD invest funding from property taxes to complete a foot bridge crossing of the Deschutes River to connect the Deschutes River Trail to trails in the National Forest in the south part of Bend?” **72 % of respondents supported the proposed trail crossing** 14% were opposed and 15% were neutral.

### **Statewide Trails Planning**

OPRD periodically develops and administers two statewide recreation trail planning efforts, the Statewide Comprehensive Outdoor Recreation Plan (“SCORP”) and the Oregon Statewide Recreation Trails Plan (“OSRP”). Both plans call for “close to home” convenient access to non-motorized recreation trails and for **interconnected regional trail systems**. The 2011-2017 SCORP identifies “**Add more recreational trails and better trail connectivity between parks and communities.**” as among the top recreation issues to address.

The SCORP and the OSRP identify considerations and selection criteria for two grant programs administered by OPRD, the Recreational Trails Program (RTP) and the Local Government Grant Program (LGGP). The SCORP considerations include “**Trail route will improve linkages to and between Federal trail systems**, neighborhood, community and regional trails, community parks and other public facilities, scenic overlooks, historical sites, rivers/lakes, local communities and/or promote safe routes to schools.” The OSRTP includes “**Issue 1. Need for more trails connecting towns/ public places. This issue is addressed by trails projects that connect communities to each other; provide connections between existing trails; close a gap within an existing trail; provide links to trails outside Urban Growth Boundaries; provide**

access to parks and open space; and provide access to significant facilities within communities such as schools, libraries, indoor recreation facilities, and businesses.”

The Deschutes River Trail and the proposed South UGB trail crossing can provide close to home, and convenient walking and bike connections for a large number of Bend residents who currently access the Deschutes National Forest trails on the west side of the river by driving across the Healy Bridge. BPRD estimates that 8500 south Bend residents live within convenient walking distance of the proposed trail crossing site and a great many more are within easy bicycling distance. Completing this remaining gap in the DRT will not only provide enhanced recreational access, but will also reduce automobile trips on Bend’s transportation network. (See also comments to the record submitted by Rick Root, former city of Bend Transportation Planner.)

### **Recent Public Discussion**

In 2014, BPRD formed a citizen’s advisory committee and initiated additional public discussion of the proposed South UGB bridge crossing. The 22-member advisory committee discussion resulted in a recommendation to proceed with planning for the DRT connection and river crossing, and lead to BPRD applying to OPRD for a change to the 1992 Upper Deschutes Scenic Waterway rule (OAR 736-040-0073) that prohibits any type of bridge or other river crossing.

In December 2016, Community Solutions of Central Oregon (CSCO) facilitated an initial rule review process for OPRD. The charge of the facilitation team was to provide a report that would assist the OPRD Director in determining if the Scenic Waterway Rule should be opened to formal rulemaking. The focus was on showing how the one-mile section of the river that is subject to the Upper Deschutes Scenic Waterway designation within the Bend UGB has changed since the bridge prohibition was included in the OAR in 1992, and if the current Rule was providing sufficient protections to the “outstandingly remarkable values”. The process included participation and input from both proponents and opponents of the bridge. The final report regarding a potential opening of the Rule was published on May 5, 2017 and is posted on the OPRD website. This is how review of elements of the Scenic Waterway program should take place. The current bridge prohibition is in OAR expressly so that it might be reviewed and amended periodically given changing circumstances.

### **Conclusion**

As a long time member of Oregon Wild (“OW”), I am deeply disappointed in their submission of HB 4029 in a blatant attempt to foreclose the existing statewide and local community planning processes. I believe that OW’s expressed concerns regarding potential resource and scenic impacts of the “South UGB Bridge” proposal are both premature and unfounded. Any bridge project at the proposed site will require Deschutes National Forest and Oregon Park and Recreation Department approval and support. There is adequate federal, state and local process in place to ensure that any and all environmental and scenic issues will be fully considered in the pursuit of approval for the proposed bridge and associated river trail connections. The Bend Park and Recreation District has demonstrated its ability to adequately protect and enhance scenic and natural resource values along the Deschutes River in its numerous previous river trail and pedestrian bridge projects. Since the 1992 OAR was promulgated the Bend population and demand on recreation facilities including the Deschutes River Trail have grown immensely and

significant planning for the proposed bridge has taken place. Prohibiting additional local discussion of the proposed South UGB Bridge and trail connections through preemptive legislation would be heavy handed and shortsighted public policy.

The discussion above is to demonstrate that the Deschutes River Trail, including the South UGB crossing, has strong community support. The DRT has been publically discussed over many years and through the course of multiple local planning projects since the bridge prohibition was included in the Upper Deschutes Scenic Waterway rule in 1992. The DRT plan and proposed South UGB river crossing align with statewide recreation trails goals and priorities. Additional local public discussion will take place and several more planning efforts will be required including USFS NEPA review before a bridge might be built at the identified site.

HB 4029 on the other hand submitted by Oregon Wild has not had the benefit of broad public input or discussion. HB 4029 clearly serves the interest of a few riverfront property owners over that of the public at large. I urge you to kill the Bill in The Agriculture and Natural Resources Committee and allow the local discussion and evaluation of the bridge proposal to proceed through existing channels including the Oregon Sate Scenic Waterways rules.