

Chair Clem, Vice-Chairs McLain and Sprenger and members of the House Committee in Agriculture and Natural Resources:

As you consider House Bill 4029 regarding the prohibition of a pedestrian and bike bridge over the Deschutes River, I strongly encourage you to oppose this legislation. Although there are many sides of this issue to consider, there are a few key principals that are most relevant to the decision in front of you.

- This proposal is a misrepresentation of the intent of the Oregon Scenic Waterways Program, which is designed specifically to balance reasonable protections with reasonable public access. The Waterways Program is not intended to be a rigid wilderness restriction against all development. In fact, the program has tiers to acknowledge different levels of protection. This stretch of river is part of the "community river" tier and generally has less restrictive rules to account for the realities and balance of use appropriate for being within a more densely-populated area.
- HB 4029 would not honor the will of the people, which has been clearly demonstrated through voting results and comprehensive plans for many years.
- Support for this legislation and opposition to the footbridge serves the selfish desires of a well-funded and politically-connected minority rather than the broad interests of your constituents.
- The existing Oregon Scenic Waterways Program rules do not have a regulatory loophole. The current rules are designed to promote cooperation among parties with differing views, all while respecting the rights of landowners. HB 4029 would circumvent this healthy and transparent process. Please do not deprive our community of the opportunity to work together toward a fair, thoughtful and collaborative solution.
- Existing regulations already ensure that full scope environmental reviews would be conducted prior to any approval or construction of the proposed bridge. HB 4029 is simply not necessary to ensure that environmental issues are considered.

As someone who supports environmental principles and healthy ecosystems, it pains me that this bill's proponents are disingenuously using environmentalism as cover for what ultimately are desires from a privileged minority at the expense of the general public. Objection to this bridge is spearheaded by the self-serving interests of a loud, well-funded and politically-connected minority whose homes and bridges already obstruct views and wildlife migrations. For them to object to this footbridge on environmental grounds is hypocritical and disingenuous. What this really boils down to is that they already acquired their riverfront views and access and they don't want to share. I hope you will demonstrate the clarity of mind and courage to serve all of your constituents, not just a selfish few. After all, the clear and objective standards of the Oregon Scenic Waterway program are designed to serve diverse interests (including recreation) and the interests of all Oregonians.

The existing Scenic Waterways rule process is not a loophole; it is by design. In fact, this proposed legislation would be a loophole for those who are unhappy with the existing regulatory structure and process. It should not be lost on each of you that the current structure of Oregon Scenic Waterway rules are intended to honor the rights of landowners. If it is your desire to strengthen the land use restrictions along Oregon's rivers, then a full reconsideration of the Scenic Waterways Program would be

appropriate. Passing legislation to circumvent the program's current infrastructure in order to serve the current desires of a small number of landowners sets a dangerous precedent for all landowners going forward.

The will of the people of Bend, Deschutes County and the State of Oregon would not be honored by this proposed legislation. Support for this bridge in particular and support in general for reasonable access to outdoor recreation have been well documented by voting results and comprehensive plans for years, including the Statewide Comprehensive Outdoor Recreation Plan (SCORP), the Bend Transportation System Plan, the Deschutes River Trail Plan, and the Bend Park and Recreation District's Trail Plan. Our state has a long and successful track record of balancing recreational access with respect for the environment and landowner rights. This proposed bridge would continue that proud and cooperative history.

I know you have received feedback from both sides of this issue, with a large portion of it in support of this bill. As I'm sure you are aware, public comments on legislative issues is often weighted toward the side with more resources. That is clearly the case here, in which supporters of this bill have the benefit of a paid lobbyist and sizable campaign and advertising funds. Nothing is more democratic than our voting process and the citizens of Bend clearly supported this bridge when they voted in 2012 for a fully connected Deschutes River Trail. More recent surveys continue to demonstrate that trail access and this bridge in particular are supported by the majority of our community.

Formal environmental reviews would be conducted if the proposal for this footbridge were to move forward. Even with your best efforts and intentions, the environmental information you have in front of you is incomplete and in many cases anecdotal. You owe it to yourselves and to all Oregonians to defer environmental reviews to those who are in the best position to weigh all of the relevant facts.

If you do choose to complete an environmental impact analysis on your own, there are some realities to consider. Unfortunately, the wildlife in this area has been habituated by close human contact for many years. The deer that regularly eat bread from my neighbors' front steps and casually walk down paved streets will not be deterred by a mere footbridge. The claims that this footbridge will severely impact a supposedly untarnished ecosystem are disingenuous.

I appeal to the values under which you serve your constituents and our state as a whole. Please see through the selfish and deceptive political posturing of this bill's supporters. Please don't let money, greed and political connections win, yet again. Please keep open the possibility for a fully connected Deschutes River Trail.

Thank you for your thoughtful consideration of this issue.

Sincerely,

Scott Reich

60666 River Bend Drive
Bend, Oregon 97702