

## Tenney Matthew

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**From:** Erik Fernandez <ef@oregonwild.org>  
**Sent:** Saturday, February 10, 2018 11:08 AM  
**To:** HAGNR Exhibits  
**Subject:** Oregon Wild Support for HB 4029

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To: Committee on Agriculture and Natural Resources

Thank you for accepting my testimony on behalf of Oregon Wild. We are a conservation organization that has focused on protecting the wildland, wildlife, and waters of Oregon since 1974. I have been working with Oregon Wild since 1999 on issues of wildlife and conservation.

I live in Bend, Oregon and I am a big fan of the Deschutes River and the Deschutes National Forest. I would like to convey our perspective and support for HB 4029.

HB 4029 would solidify the original intent of protecting the Deschutes State Scenic Waterway several decades ago by upgrading the bridge prohibition from a rule to a statute. The Deschutes River, unlike all other State Scenic Waterways but the Metolius, has a rule prohibiting new bridges on certain segments of the river. The stretch of the river with this provision starts south of Bend and goes to just north of Sunriver. The legislation would also direct State Parks and other agencies to work together in identifying the most appropriate route for a trail to connect Bend to Sunriver, while bypassing this controversial stretch of river.

Fortunately there are several viable options for alternative routes. The Forest Service is already working on a trail from Bend to their new visitor center on Cascade Lakes Highway, from that location there are possible connections heading south, potentially crossing at Benham Falls existing bridge, connecting to the Lava Lands Visitor Center, and then south to Sunriver. Consider that a west side option. There is another viable connection on the east side that could be considered. ODOT is working on a highway 97 project that includes funding for potential north-south trail options. This would potentially also connect to the Lava Lands Visitor Center and then on south to Sunriver.

As you are likely aware, the legislature considered legislation in 2017 regarding the same protections for the Deschutes River. After the last session, Oregon Wild and a number of other conservation groups did a lot of vetting of this issue, including many discussions with different agencies and the public. After a lot of thoughtful discussion we concluded that several important conservation values remained at risk.

Our concerns fit into two categories. The first category is the site specific concerns with a potential bridge. I am on the Deschutes Forest Collaborative and the Deschutes Trails Collaborative. One of the trickier new issues discussed in those groups regularly is how best to balance recreation and wildlife.

There are many locations on public lands where trails and bridges have minimal impact. There are also a few places where they do, either because of sensitive wildlife habitat, because of carrying capacity, or other conflicts. The stretch of Deschutes River under consideration in HB 4029 is one of those unique places with high wildlife values. In particular this stretch of river is home to deer, elk, beaver, river otter, bald and golden eagles, as well as the Oregon spotted frog. Oregon Department of Fish and Wildlife sent a letter expressing concern with the proposed bridge and the impacts it would have on wildlife.

The second category of concerns we have with a potential bridge development is the precedent concern. Congress protected this stretch of river as Wild and Scenic. A bridge would be inconsistent with that designation. Of even more relevance in HB 4029 is that the state of Oregon intentionally protected parts of the Deschutes River as a State Scenic Waterway. With this designation came a specific prohibition regarding bridges over one stretch of the upper Deschutes. Putting a bridge over this stretch of river would be inconsistent with that intention. Bridge development would require weakening of the river and public lands protections that are currently in place. Any weakening of public lands and rivers protections is worrisome and could lead to a precedent that results in losing protections for rivers and public lands in other parts of Oregon.

Oregon State Parks has been through two public processes to consider changing or weakening the bridge prohibition rule. This includes public meetings, open houses, surveys, and stakeholder meetings. An outside facilitator was hired. Public comment was accepted and maps were studied. All interested parties, agencies, and the public were invited, both times. Each time the decision was to maintain the current protections for the Deschutes River. To suggest a third public process is needed disrespects all of the public effort and agency resources that went into the first two thorough rounds.

Relevant current provisions include: OAR 736-040-0073 (e) "New bridges will not be permitted."

In this day and age where every issue is politically polarized, I am encouraged by the bipartisan support for protecting the Deschutes River. I encourage your support for HB 4029.

Thank you for your consideration of this important issue.

Sincerely,

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*Protecting and restoring Oregon's wildlands, wildlife, and waters as an enduring legacy for future generations since 1974.*

