

Karen,

Thank you for the time to provide public comment. While I know you said the South UGB Bridge was for a later date, I felt it was important for the committee to understand the prevailing land use laws in this matter. It was also good to notice nearly 20 City of Bend folks in the room along with Sally Russell. I hope my comments and hand out provided the proper context for their consideration.

Please include this email and attachments into the public record.

Can you kindly circulate the two documents to the committee as well.

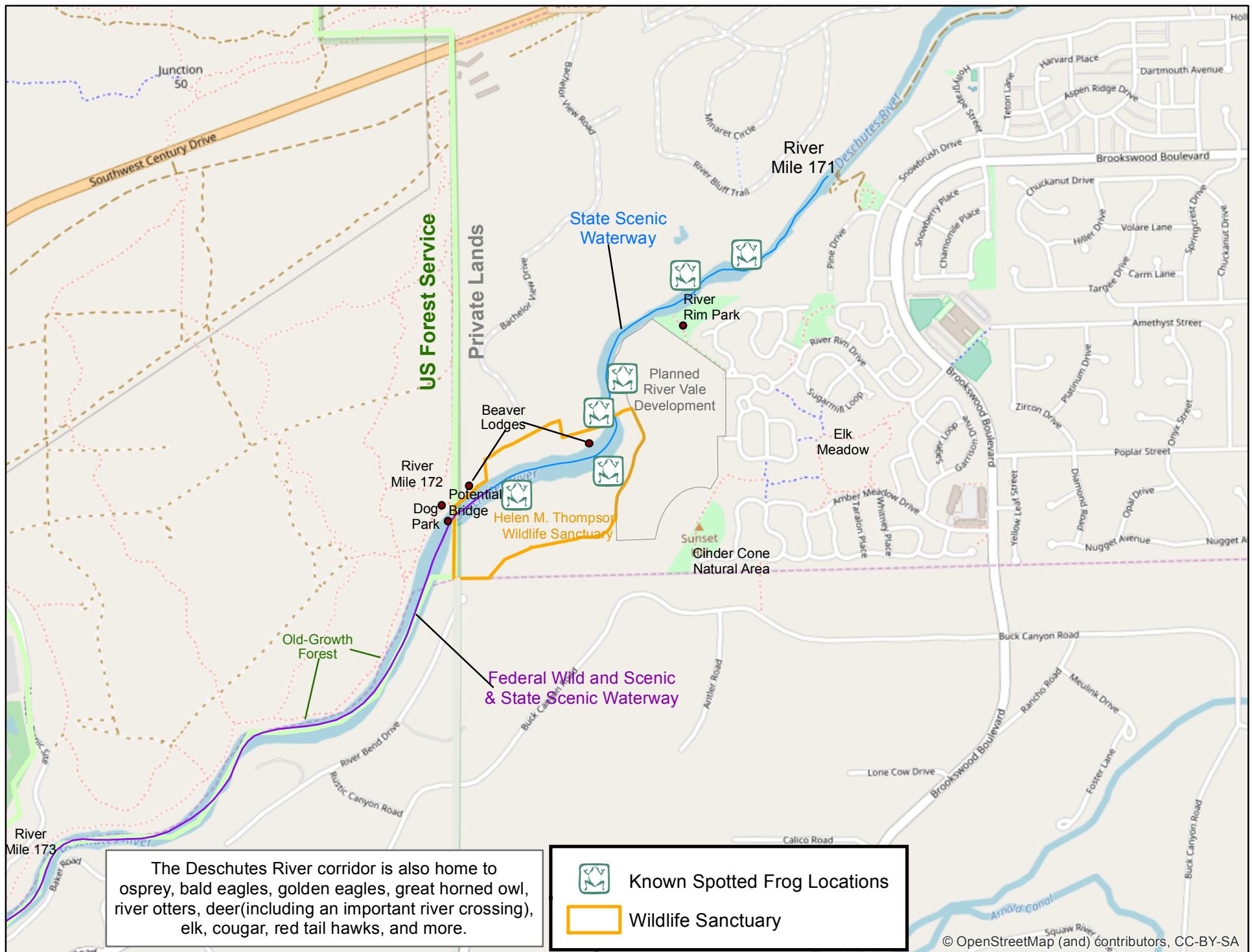
As I stated, there are many misconceptions about the State Scenic Waterway laws and there are also significant limitations on cities and agencies as they interface with those laws.

As the lead speaker so appropriately said, lets understand the governing rules before we make a Transportation Plan.

I think we can agree that building bridges where they are prohibited in State and Federal Wild and Scenic will likely lead to the drawn out UGB and Transportation process described in the meeting and desired to avoid.

Finally, thank you for realignment of the river trail to trail 3c as agreed by all parties and referenced in your prior email.

It's much appreciated and we are grateful for your public service.



## Protecting the Deschutes River and State Scenic Waterways

### Support for HB 4029

Conservation of Oregon's rivers enjoys widespread support in Oregon. A bipartisan coalition has come together to support increased protection of Oregon's State Scenic Waterways, and in particular the Deschutes River.

Current River Protections: OAR 736-040-0073 specifically prohibits new bridges. HB 4029 would simply codify that in statute. Different stretches of the Deschutes River have different designations. Significant portions were protected by congress as a federal "Wild and Scenic River." Other segments are protected by the State of Oregon as a "State Scenic Waterway." In some stretches the designations overlap, such is the case where a proposed bridge site is located. The proposed bridge is inconsistent with both protective designations.

Alternative Trail Options Exist: Conservation organizations generally support a proposed Bend to Sunriver trail but want to ensure that any trail is located in an area that can handle increased recreation and limit disturbance to wildlife. Fortunately both ODOT and the Forest Service are already working on segments of trails that could be part of viable alternative routes that avoid the sensitive stretch along the Deschutes River.

Wildlife Protection is a Priority: The upper Deschutes River is an important area for many different types of wildlife such as the Oregon spotted frog, bald eagles, golden eagles, elk, cougar, mule deer, owls, hawks, beaver, otters, and more. Increased disturbance in the river corridor from a bridge and trail would be harmful to these animals.

Precedent Concerns: The proposed bridge development would require weakening or undoing the above mentioned public lands protections. Losing protections for public lands, whether National Monuments or State Scenic Waterways, is a red flag concern for conservation organizations. Reducing river protections would set a bad precedent that could spread to other Oregon rivers.



*Photo: Shelley Finnigan*

Public Process Completed: In the winter of 2016/17 the Oregon State Parks and Recreation Department (OPRD) engaged in a public process looking at the upper Deschutes River and whether or not the rules should be changed to allow a bridge. An outside facilitator, Community Solutions of Central Oregon, supported OPRD in convening an advisory group, holding three open house public meetings as well as doing an online survey. The conclusion of this public process by State Parks was a decision not to pursue a rule amendment to allow bridges.

**Contact:** **Erik Fernandez of Oregon Wild, ef@oregonwild.org, 541-382-2616 or Elizabeth Remley, eremley@thornrun.com, 503-841-3862, or J.L. Wilson, 503-363-7084, jlwilson@pacounsel.org**

