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MEASURE: SB 1511
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January 24, 2012

Hon. Jackie Dingfelder, Co-Chair
Senate Committee on the Environment and Natural Resources
900 Court Street NE, S-407
Salem, OR 97301

Re: SB 1511

Dear Sen. Dingfelder,

I am writing in support of SB 1511. I am an environmental and water lawyer of 36 years' experience, assisting private industry and local governments in various state regulatory permit processes. I write today in my capacity as a private citizen interested in sound environmental policy that serves both the environment and the regulated community.

I was appointed to the work group established pursuant to SB 513, enacted in 2009 to foster ecosystem services market approaches in Oregon. SB 1511 is the outgrowth of the work group's report to the Legislative Assembly. My interest in participating in this effort stems from frustration at how permit mitigation requirements are currently implemented. Typically, mitigation is required at the point of impact for a development project. For example, if an urban stream segment is affected, the requirement might be to restore another segment in the same vicinity. This may not always yield the best effects on aquatic habitat, since urban stream segments often are low in the system and may be degraded from other causes. The better approach might be to restore good riparian corridors upstream to provide shade, woody debris and other features that benefit aquatic life. SB 1511 would solidify Oregon policy to encourage both permittees and state agencies to look for such opportunities.

Thank you for your consideration. Please let me know if there is further information that I can provide.

Very truly yours,

Davis Wright Tremaine LLP



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