

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

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**Action:** Do Pass as Amended and Be Printed Engrossed and Rescind the Subsequent Referral to the Committee on Ways and Means and Be Placed on the Consent Calendar

**Vote:** 8 - 0 - 0

**Yeas:** Bailey, Barnhart, Bentz, Boone, Gilliam, Jenson, Smith J., Cannon

**Nays:** 0

**Exc.:** 0

**Prepared By:** Beth Patrino, Administrator

**Meeting Dates:** 1/29, 4/23

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**WHAT THE MEASURE DOES:** Authorizes Department of State Lands (DSL) to assess a one-time fee for removal or fill permits valid over a period of more than one year. Requires director to consider statutory findings regarding wetlands and whether proposed mitigation advances statutory policy objectives for wetland protection in determining whether applicant has provided all practicable mitigation. Authorizes DSL to adopt rule exempting from permit requirements voluntary habitat restoration projects with minimal adverse impacts on waters of the state. Clarifies definition of “converted wetlands”. Clarifies exemption from removal-fill permits for agricultural.

**ISSUES DISCUSSED:**

- Definition of “intermittent stream”
- Agricultural exemption language
- Reason for repeal of the estuarine statute

**EFFECT OF COMMITTEE AMENDMENT:** Deletes proposed changes to definition of “intermittent stream”. Removes repeal of ORS 196.830 (requirement for estuarine resource replacement as a condition of any permit for removal or fill of material from an intertidal or tidal marsh area of an estuary). Clarifies agricultural exemption.

**BACKGROUND:** The Oregon removal-fill law requires people who plan to fill, remove or alter materials in waters of the state to obtain a permit from the Department of State Lands. House Bill 2155A clarifies some provisions of the removal-fill statute affecting agriculture and authorizes an exemption from permit requirements for certain voluntary habitat restoration projects.