

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 8 - 0 - 0
Yeas: Bailey, Bentz, Boone, Krieger, Thompson, Witt, Cannon, Gilliam
Nays: 0
Exc.: 0
Prepared By: Beth Herzog, Administrator
Meeting Dates: 2/1, 2/8

WHAT THE MEASURE DOES: Exempts changes in points of diversion from removal/fill permit requirement if necessitated by change in location of surface water source and authorized by Water Resources Department.

ISSUES DISCUSSED:

- Stream channel migration as a result of flooding
- Need to relocate diversion before summer weather occurs

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Oregon's Removal-Fill Law (ORS 196.795-990) requires people who plan to remove or fill material in waters of the state to obtain a permit from the Department of State Lands (DSL). House Bill 2189 would allow authorized water users to change the point of water diversion of surface waters without the need to obtain a removal-fill permit. The exemption would apply if there is a valid water right from the Water Resources Department and if changing the point of water diversion is necessary to adjust for movement of the waterway.