

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

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Action: Do Pass

Vote: 8 - 0 - 0

Yeas: Conger, Doherty, Esquivel, Hoyle, Johnson, Matthews, Kennemer, Schaufler

Nays: 0

Exc.: 0

Prepared By: Theresa Van Winkle, Administrator

Meeting Dates: 4/13

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**WHAT THE MEASURE DOES:** Establishes that the Department of State Lands and the Department of Geology and Mineral Industries can enter to in a memorandum of agreement in certain cases involving surface mining so that the sole responsibility for permitting is assigned to the Department of Geology and Mineral Industries. Requires the Department of State Lands to be consulted, prior to any permitting under the established memorandum of agreement, regarding any conditions necessary to protect the waters of this state.

**ISSUES DISCUSSED:**

- How the measure streamlines permitting processes
- Potential cost savings for affected state agencies and permit applicants
- Measure maintains the current level of investigative procedures related to the permitting process
- Statutory jurisdiction of the Department of State Lands and Department of Geology and Mineral Industries
- Level of checks and balances in the memorandum of agreement

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** House Bill 3601 allows the Department of State Lands (DSL) and the Department of Geology and Mineral Industries (DOGAMI) to enter to in a memorandum of agreement when surface mining would otherwise be under the permitting jurisdiction of both departments because part of the surface mining is located within the beds or banks of any waters within Oregon, and part of the surface mining is located upland from the beds or banks of any waters of this state. DOGAMI, prior to any permitting that is allowed in the memorandum of agreement, is required to consult with DSL regarding any conditions necessary to protect the waters of this state.