

SENATE AMENDMENTS TO SENATE BILL 600

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

April 25

1 On page 1 of the printed bill, line 24, delete “preference” and insert “preferences”.

2 In line 25, delete “applies” and insert “apply”.

3 In line 26, delete “preference” and insert “preferences” and delete “does” and insert “do” and
4 delete the colon.

5 In line 27, delete “(a)” and after “274.860.” insert “The preference for the owner of lands pro-
6 vided in this subsection does not apply to”.

7 In line 28, delete “(b)” and delete “not”.

8 On page 3, delete lines 19 through 28 and insert:

9 “(4) The department may authorize the following uses of state-owned submerged and submersible
10 lands without charge:

11 “(a) Structures on state-owned submerged and submersible lands maintained by a drainage dis-
12 trict organized under the provisions of ORS chapter 547.

13 “(b) Riprap, as defined in ORS 196.815, used to stabilize the banks along state-owned submerged
14 and submersible lands.

15 “(c) Voluntary habitat restoration work on state-owned submerged and submersible lands. For
16 purposes of this paragraph, voluntary habitat restoration work does not include:

17 “(A) Activities undertaken to satisfy any actual or potential legal obligation, or for which the
18 entity completing the habitat restoration work receives compensation of any kind.

19 “(B) Habitat restoration work completed by an entity to satisfy an environmental mitigation
20 obligation, or to generate, sell or obtain credit as an offset against actual or potential natural re-
21 source damages liability.

22 “(5) The department is entitled to charge, in accordance with rules adopted by the department,
23 for the use of state-owned submerged and submersible lands for any environmental mitigation credit,
24 or settlement of or credit obtained as an offset against natural resource damages liability, acquired
25 by any party for habitat restoration work on state-owned land.

26 “(6) The uses described in subsections (4) and (5) of this section must be registered in accord-
27 ance with rules adopted by the department. Any person issued a registration to use or occupy
28 state-owned submerged and submersible lands under subsections (4) and (5) of this section shall
29 indemnify and hold harmless the state from all liability and claims arising from or attributable to
30 the use or occupation.

31 “(7) The department by rule may authorize the use of specific state-owned submerged or
32 submersible lands without charge if the department determines that the use is minimally intrusive
33 to any public rights of navigation, fishery or recreation.”.

34 On page 4, line 36, delete “easement, lease or registration” and insert “easement or lease”.

35 In line 40, delete “grantee, lessee or registrant” and insert “grantee or lessee”.

- 1 In line 43, delete “grantee,” and insert “grantee or lessee”.
- 2 In line 44, delete “lessee or registrant”.
- 3 On page 5, line 2, delete “grantee, lessee or registrant” and insert “grantee or lessee”.
- 4 In line 4, delete “easement, lease or registration” and insert “easement or lease”.
- 5 In line 6, delete “easement, lease or registration” and insert “easement or lease”.
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