



Statement to: House Energy and Environment Committee
From: Sara Vickerman, Defenders of Wildlife
Date: March 26, 2013
Re: Please Support HB 3337-1 – Conservation Outcomes

Summary

This bill promotes outcome-based approaches to conservation policy and consideration of the full range of nature's benefits in decisions about land management and infrastructure development. It offers flexibility for compliance with existing regulations through alternative pathways that produce better environmental results at lower cost and encourages programs that reward landowners for contributing to state and local conservation goals. Similar legislation won committee approval in 2011 (House) and 2012 (Senate).

What the bill does

- Frames outcome-based approach to environmental policies that should shift, over time, to a more accountable set of conservation programs. The need to measure outcomes should lead to improved monitoring of conditions and trends.
- Adds ecosystem services to the principles guiding Oregon's land use program by encouraging, not requiring the consideration of these values in land use decisions.
- Encourages, but does not require the consideration of natural infrastructure options. For example, restored wetlands and streamside vegetation can often improve water quality, enhance habitat for fish and wildlife, and provide recreation opportunities while saving rate payer or tax payer dollars on expensive engineered solutions.
- Revises mitigation policies to improve the flexibility and overall effectiveness of the programs.
- Directs the Governor's office to synthesize existing conservation plans.

-1 Amendments

The amendments simply soften a few words in the printed bill to communicate clearly that the purpose is to encourage, but not require agencies and local governments to consider the options set forth in the bill without causing unnecessary anxiety about the cost and complexity of incorporating new approaches in to existing programs.

Background

The Legislature passed SB 513 in 2009. The bill outlined an approach to ecosystem services that set the stage for the development of programs that provide incentives for private landowners to provide these services, or to establish market-based programs in which regulated parties or voluntary buyers purchase specific conservation outcomes. The bill also directed the Oregon Watershed Enhancement Board to convene a work group to address additional issues. The work group met for a year and issued a report to the 2011 Legislature. The members were diverse, and included business, agency, local government, academic, land owner and conservation interests. HB 3337 contains language implementing many of the recommendations of the work group.

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Supporters

Supporters of HB 3337 include business interests like The Oregon Business Council, Oregon Homebuilders Association, Harry and David, and others that derive income from providing services to the restoration sector and provide employment in this growing field. Other supporters are local governments including the Association of Oregon Counties and Clean Water Services, Oregon's pioneer in paying landowners for their contribution to improving water quality using natural infrastructure. The Oregon Association of Soil and Water Conservation Districts and the Network of Oregon Watershed Councils support the bill, as do Indian tribes and a collection of conservation groups with an interest in working across traditional political alliances to find creative new approaches to thorny, long-standing challenges in natural resource management. A list of supporters and their letters was provided to the committee.

Why the bill is needed

Most environmental laws were passed decades ago to address narrow and specific problems like industrial pollution or unplanned development. They tend to be administered by individual agencies that work in isolation, often duplicating effort or working at cross-purposes.

Although regulatory programs have been effective in improving water and air quality and containing urban sprawl, they have not been updated to reflect dramatic economic, technological, cultural, social, and ecological changes. New approaches are needed to improve the integration, effectiveness, and accountability of environmental programs, reduce the cost of compliance, and to address issues that are not subject to existing regulations.

The bill will help developers meet current regulatory requirements more efficiently with better results, save tax and rate payers money by promoting non-structural solutions to manage storm water and flooding.

It encourages agencies to provide financial assistance to landowners who manage land and water to achieve specific conservation benefits. Without this assistance, some landowners cannot afford to provide those public benefits.

Fiscal impact

The bill has a minimal fiscal impact - \$185,822 for .75 FTE at the Oregon Watershed Enhancement Board. This position was funded last biennium and apparently not included in the Governor's current budget because of a technical error. A technical adjustment is still under consideration.