



HB 3337
Testimony of Jim Myron
WaterWatch of Oregon
House Committee on Energy and the Environment
March 26, 2013

Founded in 1985, WaterWatch is a non-profit river conservation group dedicated to the protection and restoration of natural flows in Oregon's rivers. We work to ensure that enough water is protected in Oregon's rivers to sustain fish, wildlife, recreation and other public uses of Oregon's rivers, lakes and streams. We also work for balanced water laws and policies. WaterWatch has members across Oregon who care deeply about our rivers, their inhabitants and the effects of water laws and policies on these resources.

WaterWatch opposes HB 3337

What HB 3337 does: HB 3337 serves as a vehicle to push state agencies to seek market based solutions to meet regulatory requirements. The bill sets forth non-mandatory guidelines for ecosystem services development.

WaterWatch opposes HB 3337 for the following reasons.

1. HB 3337 is not necessary for ecosystem services to move forward: In 2009 the legislature adopted SB 513, which established, as a policy, state support of ecosystem services. This existing law enables and encourages state agencies to participate in ecosystem service markets. This law gives broad license and great flexibility to state agencies to embrace and implement ecosystem services market approaches. There is no need for further statutory authority for ecosystem service programs to move forward.

2. HB 3337 fails to include meaningful standards and definitions to guide agency implementation and the development of ecosystem services into the future: While existing law allows state agencies to use ecosystem services, existing statutes could in fact be benefited by the institution of legislative guidelines, protocols and measurable outcomes. HB 3337 fails to achieve this. HB 3337 does not contain any mandatory guidelines, controls, operating principles, monitoring or measurement requirements, accounting procedures, or other protocols that could help guide the state's involvement in ecosystem services. Nor does it contemplate agency rulemaking to fill in these gaps. Instead the bill contains many undefined terms and non-binding suggestions. Because it lacks clear definitions of its terms and clear guidance as to agency implementation, the bill creates excessive and undefined agency discretion as to implementation.

Conclusion: HB 3337 is unnecessary and creates undefined agency discretion.

