



Wild Rivers Coast Heritage  
Land Trust



### Public Testimony for HB 2173, House Committee on Land Use February 28, 2013

The above named organizations, along with our local watershed councils and other partner agencies have worked hard to engage local landowners in a series of cooperative conservation and restoration projects in Oregon. We are committed to the long-term health and sustainability of agriculture in Oregon and have a strong record of building collaborative relationships with working farm and ranch landowners in Oregon.

Land trusts work with private landowners to obtain conservation easements that maintain working farms and ranches, protect water quality, protect wildlife habitat, and preserve open lands in Oregon. These projects create and enhance habitat for native species across the State and are pursued using the best available science, assuring accountability at every step.

House Bill 2173 would have a significant impact on conservation projects in Oregon where landowners voluntarily partner with land trusts to carry out restoration work. The bill contains two major provisions that would drastically curtail voluntary efforts to improve the health of Oregon's wetlands and riparian areas.

**1. HB 2173 would changes the status of activities conducted to create, restore or enhance wetlands on land zoned for exclusive farm use (EFU) from an outright permitted use to a conditional use.** A conditional use permit is often costly and requires local governments to expend resources on a sometimes lengthy process to determine whether the proposed use is appropriate for the site. Requiring private landowners to apply and pay for a conditional use permit for voluntary

restoration introduces an unnecessary burden for landowners working to provide public benefits through their stewardship.

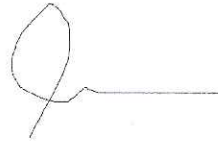
**2. HB 2173 removes the shield of liability for projects on land zoned exclusive farm use.** Oregon law ORS 496.270 currently provides immunity from liability for damages resulting from habitat or water quality improvement projects on private land. This law was specifically designed to encourage operators, timber owners and landowners to voluntarily improve fish and wildlife habitat. By removing this shield, private landowners are far less likely to engage in voluntary conservation projects in cooperation with public agencies, thereby limiting the options of those landowners who wish to manage their land in the way they deem most beneficial.

Thank you for your attention to this important issue. We hope you support our efforts to provide private landowners with the tools they need to undertake voluntary conservation projects by opposing HB 2173.


Sincerely,



Glenn Lamb, Executive Director  
Columbia Land Trust



James Monteith, President  
Wallowa Land Trust



Michael Pope, Executive Director  
Greenbelt Land Trust

Jerry Becker, Executive Director  
Wild Rivers Coast Heritage Land Trust



Diane Garcia, Executive Director  
Southern Oregon Land Conservancy



Tom Reilly, Executive Director  
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Karen Antell, Vice President  
Blue Mountain Conservancy