

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 0
Yeas:	Clem, Esquivel, Krieger, McKeown, Reardon, Thompson, Unger, Whitsett, Witt
Nays:	0
Exc.:	0
Prepared By:	Beth Patrino, Administrator
Meeting Dates:	3/5, 3/12

WHAT THE MEASURE DOES: Adds large woody debris to definition of “material” for purposes of removal-fill statutes. Defines “large woody debris” as any downed wood that captures gravel, provides stream stability or provides fish habitat. Exempts removal of large woody debris from provisions of removal/fill law under specified circumstances.

ISSUES DISCUSSED:

- Importance of large woody debris to fish habitat
- Funds spent on placement of large woody debris in streams
- Circumstances under which large woody debris may be removed without authorization

EFFECT OF COMMITTEE AMENDMENT: Lists circumstances under which large woody debris may be removed without authorization.

BACKGROUND: Oregon’s Removal-Fill Law (ORS 196.795-990) requires people who plan to remove or fill material in waters of the state to obtain a permit from the Department of State Lands. The purpose of the law, enacted in 1967, is to protect public navigation, fishery and recreational uses of the waters. "Waters of the state" are defined as "natural waterways including all tidal and non-tidal bays, intermittent streams, constantly flowing streams, lakes, wetlands and other bodies of water in this state, navigable and non-navigable, including that portion of the Pacific Ocean that is in the boundaries of this state." The law applies to all landowners, whether private individuals or public agencies. House Bill 2396 A would add large woody debris to the definition of material for purposes of the state’s removal/fill laws.