

**PROPOSED AMENDMENTS TO
HOUSE BILL 2032**

1 On page 1 of the printed bill, delete line 30 and delete page 2 and insert:

2 “(3)(a) To the extent practicable, payments made under this section may
3 not exceed an amount equal to 1,000 percent of the real market value of the
4 land for which the off-site compensatory mitigation is required. For purposes
5 of this subsection, real market value shall be the real market value as re-
6 flected in the last certified assessment roll preceding the date on which the
7 off-site compensatory mitigation commences.

8 “(b) The cost cap provided under this subsection is not intended to:

9 “(A) Interfere with the performance and achievement standards imposed
10 by the United States Army Corps of Engineers; or

11 “(B) Preclude the issuance of permits by the department pursuant to sec-
12 tion 404 of the Federal Water Pollution Control Act, section 10 of the Rivers
13 and Harbors Act of 1899, as amended, or any other federal or state statute
14 relating to the mitigation of environmental impacts on wetlands.

15 “(4) No later than October 1 of each calendar year, the Director of the
16 Department of State Lands shall submit to the Legislative Assembly and the
17 State Land Board a detailed report of the costs and expenses specified in
18 subsection (2) of this section, whether calculated by the department or a
19 permittee or third party that has created a mitigation bank as described in
20 ORS 196.615, for each off-site compensatory mitigation project.

21 **“SECTION 2. (1) Except as provided in subsection (2) of this section,**
22 **the amendments to ORS 196.643 by section 1 of this 2013 Act become**

1 **operative on January 1, 2014.**

2 **“(2) The Department of State Lands may adopt rules before the**
3 **operative date specified in subsection (1) of this section, or take any**
4 **other action before the operative date specified in subsection (1) of this**
5 **section, that is necessary to implement, on or after the operative date**
6 **specified in subsection (1) of this section, the amendments to ORS**
7 **196.643 by section 1 of this 2013 Act.**

8 **“SECTION 3. The amendments to ORS 196.643 by section 1 of this**
9 **2013 Act apply to payments for off-site compensatory mitigation made**
10 **to the Oregon Removal-Fill Mitigation Fund on or after the operative**
11 **date specified in section 2 of this 2013 Act.**

12 **“SECTION 4. This 2013 Act being necessary for the immediate**
13 **preservation of the public peace, health and safety, an emergency is**
14 **declared to exist, and this 2013 Act takes effect on its passage.”.**

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