



Oregon

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**To: The Honorable Chris Edwards, Chair
Senate Committee On Environment and Natural
Resources**

Senate Bill 25

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Good afternoon Chair Edwards and members of the Committee. Thank you for the opportunity to discuss Senate Bill 25 with you today. SB 25 would allow counties with populations of less than 50,000 to adopt comprehensive land use plans without complying with statewide land use planning goals. The purpose of this is to encourage counties to create and expand business development in rural counties. The Oregon Department of Fish and Wildlife (Department) understands that, at present, this would apply to eight eastern Oregon counties (Baker, Gilliam, Grant, Harney, Malheur, Sherman, Wallowa, and Wheeler).

The statewide planning goals require consideration of scale, intensity and potential off-site impacts of land use actions as well as compatibility with land use issues relating to, but not limited to, agricultural lands, forest lands, and natural resources. SB 25 proposes to remove some of the land use restrictions on these resource lands. As a result, more intensive development may be allowed on those lands, which could also intensify concerns over fish, wildlife, and habitat protection.

SB 25 would affect compliance with Statewide Planning Goal 5, which is the planning goal associated with natural resource protection. Examples of resources protected through Goal 5 include wetlands, riparian corridors, natural areas, big game winter range, sensitive nesting habitat, and cultural resources. Currently, Goal 5 establishes a process for each resource to be inventoried and evaluated by local governments. Local land use regulations associated with county comprehensive plans often offer Goal 5 protections for these resources that would not otherwise be required or exist (such as minimum lot sizes, buffers, or protective overlay zones). Eliminating the requirement for counties to comply with Goal 5 could result in significant reductions in protection for Goal 5 resources from human impacts.

Of particular note, SB 25 could affect the State's current efforts to prevent the impacts to Oregon from the pending U.S. Fish and Wildlife Service decision whether to list the Greater Sage Grouse under the federal Endangered Species Act (ESA).

The State has been working through the Sage-Grouse Conservation Partnership (SageCon) with a diverse set of partners—including counties—to build a strategy that balances and achieves greater certainty for conservation and economic development in sagebrush country. As part of this strategy, the Department is coordinating with the Department of Land Conservation and Development and counties on revisions to Goal 5 rules (Division 23) to include Greater Sage Grouse and sagebrush steppe as Goal 5 resources. If the Oregon counties containing sage grouse and their habitat were no longer required to comply with Goal 5, the protections provided under these Goal 5, Division 23 rules would not be applied. This could undermine the State's effort to avert the impacts of a federal ESA listing.

The Department appreciates the motivations of SB 25 related to the vitality of rural Oregon. The health of Oregon's fish, wildlife, and its habitat and the health of Oregon's rural lands, communities, and economies are inter-connected. We appreciate the opportunity to provide the Committee with these comments.

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