

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Environment and Natural Resources

REVENUE: No revenue impact

FISCAL: May have fiscal impact, statement not yet issued

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Beth Reiley, Administrator

Meeting Dates: 4/8

WHAT THE MEASURE DOES: Exempts prior converted croplands from definition of “waters of this state” for purposes of removal fill program. Directs that certification by Natural Resources Conservation Service that land is prior converted cropland is conclusive and binding upon Department of State Lands for purposes of completing wetlands delineation determination.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

BACKGROUND: Under current law, “waters of the state” are defined as all natural waterways, tidal and nontidal bays, intermittent streams, constantly flowing streams, lakes, wetlands, that portion of the Pacific Ocean that is in the boundaries of this state, all other navigable and nonnavigable bodies of water in this state and those portions of the ocean shore, as defined in ORS 390.605, where removal or fill activities are regulated under a state-assumed permit program as provided in 33 U.S.C. 1344(g) of the Federal Water Pollution Control Act.

Senate Bill 847 would exempt any prior converted cropland from the definition of “waters of this state” for the purpose of the removal fill program.