



February 3, 2016

The Honorable Chris Edwards, Chair
Senate Committee on Environment and Natural Resources
900 Court Street
Salem, OR 97301

RE: Opposition to SB 1517 – Wetlands in Agricultural Settings

Dear Chair Edwards and members of the committee:

I am the Ecological Services Team supervisor for the City of Eugene's Division of Parks and Open Space. We oppose the proposed Senate Bill 1517. The amendments will place unnecessary barriers on voluntary enhancement and restoration of wetlands in agricultural settings. Please note that most sites conducive to wetland restoration naturally occur in areas used for agriculture. Working with willing landowners to restore agricultural land to its original wetland state is our best chance to improve this valuable and threatened resource. Wetlands provide valuable services for all Oregonians in terms of protecting and improving water quality, reducing large scale flood events, and providing habitat for fish and wildlife valued by Oregonians.

The barriers introduced by this bill include the establishment of three criteria that must be met prior to any creation, restoration, or enhancement of wetlands in agricultural settings [Section 5]. These criteria appear arbitrary and non-standardized making progression with restoration challenging at best. The rationale for or necessity of these additional restrictions to wetland restoration statewide are unclear.

Another consequence of this proposed legislation is the likely reduction in wetland mitigation banking. Mitigation banks are administered by private and some governmental agencies and are important mechanisms to facilitate sustainable, responsible development and growth of local communities and businesses. Most, if not all, of the mitigation banks in the Willamette Valley occur on former farm land willingly sold or transferred to the mitigation banks. Restricting this practice will reduce the likelihood that private or government entities will or can continue providing this service.

Section 7 of the proposed legislation allows removal of up to 100 cubic yards of material from waters of state for purposes of maintaining drainage and protecting agricultural land. This amendment has the potential to dramatically and negatively affect water quality, downstream flood risk and important fish and wildlife habitat and populations.

We recognize the importance of productive farmland and wetlands to Oregon's heritage and continued sustainable economy. Problems with melding interests of conservation and agriculture are complex. The proposed legislation under SB 1517 creates more barriers and not a solution to a complex problem.

Sincerely,

A handwritten signature in black ink that reads "Shelly A. Miller". The signature is written in a cursive style with a large initial 'S'.

Shelly A. Miller

Ecological Services Team Supervisor

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