



## Senate Environment & Natural Resources Committee

February 4, 2016

### Oregon Farm Bureau Testimony on SB 1530

Chair Edwards and Members of the Committee:

Thank you for the opportunity to submit testimony on SB 1530. Oregon Farm Bureau has some concerns about the potential spillover effects of a component of this legislation.

By way of background, the Oregon Farm Bureau is a voluntary, grassroots, nonprofit agricultural organization representing Oregon's farmers and ranchers in the public and policymaking arena. As Oregon's largest general farm organization, its primary goal is to promote educational improvement, economic opportunity, and social advancement for its members and the farming, ranching, and natural resources industry as a whole. Today, Oregon Farm Bureau represents over 7,000 member families professionally engaged in the industry and has a total membership of over 60,000 families.

As you are aware, the ability to clean drainage ditches to maintain agricultural drainage is critical to farmers and ranchers in Western Oregon. We are concerned that the designation of a new type of special resource habitat in the bill could have spillover effects on Oregon removal-fill, particularly as it impacts agricultural drainage. Section 13 of SB 1530 states that "The Department of State Lands, in consultation with the State Department of Fish and Wildlife, the Department of Environmental Quality and other affected state and federal agencies, shall designate by rule biological resource habitat, as defined in section 9 of this 2016 Act, for waters of the state." Biological resource habitat is defined as "essential indigenous anadromous salmonid habitat as defined in ORS 196.810 and habitat that is essential to the recovery and conservation of Pacific lamprey, bull trout and freshwater mollusks." Section 9(1).

The designation of "essential anadromous salmonid habitat (ESH)" in Oregon has had a significant impact on our members' ability to protect agricultural drainage. While we work hard to be partners in conservation and ensure that our actions are supporting habitat, we have found the requirements around the ESH designation to be difficult to administer and understand through the Department of State Lands regulatory process. We are concerned that creating a new type of special habitat designation prior to fixing the issues that have arisen around the ESH designation will only compound and expand the issues we've seen, and make it more difficult for farmers to maintain drainage. We urge the committee not to create yet another complex, ambiguous regulatory program affecting the same lands already regulated under a gamut of federal and state programs.

If you have any questions, please contact Mary Anne Nash at [maryanne@oregonfb.org](mailto:maryanne@oregonfb.org) and 541-740-4062.

