



CITY OF GRESHAM

Objections to SB 865 and SB 866

SB 865 Lengthens Planning Review Processes and Creates Inefficiencies

Requiring the City to submit any proposed subdivision or partition to the drainage district for review would slow the development planning review process, already a source of government criticism for its time requirements. The bill would also give drainage districts the ability to place individual conditions of approval on a case-by-case basis, opening up the potential that development projects wouldn't be treated uniformly, and increasing uncertainty for the public. The City of Gresham believes that a more appropriate way to accomplish this goal would be through the creation of uniform criteria or a quantity/peak volume threshold. Better yet, the issue at hand is already addressed in Gresham, because the City conducts master planning under the assumption of full build-out, thus creating a known environment for downstream districts.

SB 866 Creates Substantial New Costs for Historic Downhill Flow of Water

SB 866 requires permission from a special district before water can be discharged in its normal, gravitationally-fed flow downhill into a drainage district. It is unfair to create hefty new financial structures that could result in jurisdictions at higher topographies being burdened with new fees and costs. As drafted, the bill indicates new development cannot occur if it doesn't either 1) manage all stormwater on-site, or 2) have approval from a drainage district. While there are areas that can be and are managed on site in Gresham, any other development that can't fully infiltrate would now require approval by a drainage district, which would slow down and/or complicate development approval for most of the best available commercial and industrial parcels in Gresham, harming the City's economic development efforts.

The bills, as drafted, place new, heavy burdens on cities, and put new power and control in the hands of drainage districts. These districts were formed to pump water, for the sole benefit of the properties that exist within the floodway of a natural waterbody, which they opted to collectively manage to their own benefit. SB 866 grants those properties receiving the unique benefits of the drainage district, the additional authority to impose rigorous new process and financial burdens on properties outside of their districts. Gresham supports putting standards in place that protect streams and downstream properties, but the scope of these bills are too broad with current language, which could be interpreted to include streams and natural waterways.