



Oregon

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State Land Board

**Testimony of
Jim Paul, Director
Department of State Lands
House Bill 2786-2**

**House Committee on Agriculture and Natural Resources
April 13, 2017**

Kate Brown
Governor

Dennis Richardson
Secretary of State

Thank you for the opportunity to provide testimony on House Bill 2786-2. This bill essentially redefines the extent of the state's wetlands jurisdiction within the Removal-Fill Law to only those wetlands included in the "Statewide Wetlands Inventory." The Department does not have a position on the bill.

Tobias Read
State Treasurer

In 1967, the Oregon Legislature established the removal-fill law to protect Oregon's wetlands and waterways for fisheries, natural habitats, water quality, flood storage and other public benefits. The Department of State Lands has the responsibility to implement these protections, while achieving responsible, sustainable economic development and the exercise of private property interests.

The Statewide Wetlands Inventory (SWI) identifies a subset of wetlands that exist throughout Oregon. It is comprised of local wetland inventories prepared to comply with Goal 5 of the state land use planning process, the National Wetland Inventory, and individual wetland delineations (detailed mapping) for projects throughout the state. While the SWI was originally intended to be comprehensive, it currently does not capture a large portion of the actual wetlands within the state. Currently only 33% of incorporated cities have local wetland inventories.

The SWI relies primarily on a national inventory, prepared by the USFWS using analysis of aerial photography done in the mid-1980s. Currently the SWI does not include most types of farmed wetlands, such as those prevalent in the Willamette Valley, and many smaller wetlands between one and five acres are not detectable in aerial photography. Because of these limitations, relying only on the SWI to define state wetland regulatory jurisdiction would result in many wetlands no longer being protected under state law.

This substantially reduced scope would potentially be in conflict with current removal-fill policy goals articulated in statute: "Promote the protection, conservation and best use of wetland resources, their functions and values through the integration and close coordination of statewide planning goals, local comprehensive plans and state and federal regulatory programs."

Thank you again for this opportunity to provide testimony today.