



# Oregon

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Before the House Committee on Agriculture and Natural Resources

Testimony on House Bill 2327

Oregon Watershed Enhancement Board

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### Introduction

The Oregon Watershed Enhancement Board (OWEB) appreciates the opportunity to provide testimony in support of House Bill 2327, a bill that seeks to revitalize aspects of OWEB's authorizing statutes and provide general clean-up on other statutes.

### Background

The mission of OWEB is to help protect and restore healthy watersheds and natural habitats that support thriving communities and strong economies. The primary mechanism to meet this mission is through OWEB's grant program which supports local community organizations to implement, track and monitor science-based projects to restore land, water and fish and wildlife habitat, while providing jobs in Oregon.

### Discussion

OWEB offers the following comments on the major elements proposed in HB 2327:

- **Section 1.** This section requires OWEB grantees to obtain a liability insurance policy with limits commensurate with the activities supported by the grant. The cost of the liability insurance policy may be included in the grant. This section is related to the proposed repeal of **Section 4, subsection (4)** that the Department of Administrative Services (DAS) may provide liability coverage for watershed councils at the expense of OWEB. The liability coverage currently provided by DAS is modest, and provides only limited liability protection for watershed councils. OWEB staff is currently working with stakeholders to ensure all grantees obtain appropriate levels of liability insurance related to the activities that the grantee is engage in.
- **Section 2.** Edits in subsection 3(g) would repeal language related to the healthy streams partnership, which was formed through an agreement over 20 years ago and has not been functional for many years. Work related to the agreement continues through venues like the Clean Water Partnership and the Department of Agriculture's Strategic Implementation Areas.

- **Section 3.** This section will add a representative of the U.S. Fish and Wildlife Service (USFWS) as a non-voting member of the OWEB Board. USFWS plays an important role in funding and implementing watershed enhancement projects across the state, and the addition of a USFWS representative to the Board will provide important guidance to the agency on a broad array of issues.
- **Section 4.** In addition to the proposed changes related to liability insurance described above, edits in subsection (3) require each watershed council to periodically report the activities of the council to the county governing body. Current statute requires this reporting only if more than one council exists in a county. This edit would align with current administrative rule that requires watershed councils that obtain an OWEB capacity grant to “submit an annual report to all local government entities that designated the council”.
- **Section 5.** Edits in subsection (1) highlight that OWEB will provide a watershed enhancement program to benefit all users of the waters in Oregon, and do so in a manner that provides the greatest possible opportunity for volunteer participation to achieve the goals of the program. This language is moved here from ORS 541.920, which, under **Section 7**, is proposed to be repealed.
- **Section 6.** Edits in subsection 1(a) would repeal elements related to Oregon Plan status reporting on watershed and key habitat conditions in each drainage basin in the state, as the State does not have the staff or data resources to adequately address this reporting requirement in a geographically consistent manner.
- In addition, OWEB anticipates providing an amendment to this bill in subsection (1) to allow for the Oregon Plan biennial report to be submitted by January 15<sup>th</sup> of even-numbered years (replacing odd-numbered years). Currently, the report is submitted with six months left in the biennium. Submitting the report in even-numbered years would allow for the entire biennium to be accounted for in reporting and provide a more complete picture of Oregon Plan accomplishments.
- **Section 7.** This section proposes to repeal ORS 541.920, as the majority of the language in the statute calls for coordination with the State Service Center for Geographic Information Systems, an agency that no longer exists. A portion of the language is retained, as referenced in **Section 5** above. This section would also repeal ORS 541.965, which requires other natural resource agencies to provide written reports related to the enhancement or restoration of riparian areas or associated uplands to OWEB to assist in developing and maintaining a centralized repository. The widespread use of the Internet has made this requirement unnecessary, as reports are posted on agency websites and other information clearinghouses found online.

If committee members have questions or would like more information, please contact Meta Loftsgaarden at 503-986-0180.