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**Testimony of
Jim Paul, Director
Department of State Lands
on
House Bill 2786
House Committee on Agriculture and Natural Resources
February 21, 2017**

Kate Brown
Governor

Dennis Richardson
Secretary of State

Tobias Read
State Treasurer

Thank you for the opportunity to provide testimony on House Bill 2786. This bill essentially redefines the Department of State Lands' jurisdiction scope under the removal-fill law to only those wetlands that are included in the "Statewide Wetlands Inventory" (SWI). The Department does not have a position on the bill.

Because the SWI is a small subset of wetlands that exist throughout Oregon that currently fall under both state and federal regulations, this bill would result in a substantially reduced scope that could arguably be in conflict with current removal-fill law policy goals articulated in state law.

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 the law, while achieving responsible, sustainable economic development and the exercise of private property interests.

House Bill 2786 would substantially reduce the scope of the Department's ability to implement the law, through relying only on the Statewide Wetlands Inventory. The current Statewide Wetlands Inventory does not capture wetlands in many areas where local inventories do not exist, and relies on a national inventory – aerial photography done in the mid-1980s – which also does not completely capture where wetlands are present. For example, many wetlands between one and five acres may not have been detected and mapped, especially in forested areas; and most types of farmed wetlands are currently unmapped. The bill could also be interpreted to omit waterways (rivers and streams) from the jurisdiction scope of the removal-fill law, which are also not captured in the Statewide Wetlands Inventory.

Thank you again for the opportunity to provide testimony today.