

HB 2785 STAFF MEASURE SUMMARY

House Committee On Agriculture and Natural Resources

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Meeting Dates: 2/21

WHAT THE MEASURE DOES:

Exempts the replacement of a lawfully established agricultural building from removal-fill requirements (ORS 196.800 to 196.900) in case of damage or destruction by fire or other act of God.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

BACKGROUND:

The Oregon Department of State Lands (DSL) is responsible for permits and authorizations of removal-fill activities within the state. All landowners, including private individuals and public agencies, who plan to remove or fill material in wetlands or waterways are required to obtain a permit from DSL and comply with removal-fill laws found in ORS 196.795 to 196.990. The permit system is designed to allow review of proposed uses that may impact the state's water resources. A permit is typically required if an activity will involve filling or removing 50 cubic yards or more of material in a wetland or waterway. For activities in state-designated Essential Salmonid Habitat, State Scenic Waterways and compensatory mitigation sites, a permit is required for any amount of removal or fill.

House Bill 2785 would exempt a landowner from removal-fill permitting requirements when replacing a lawfully established agricultural building after damage or destruction by fire or other act of God.