



# CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Nick Fish, Commissioner ■ Michael Jordan, Director

February 21, 2017

Representative Brian Clem, Chair  
House Committee on Agriculture and Natural Resources  
900 Court Street, NE, Hearing Room D  
Salem, OR 97301

RE: HB 2786 Relating to applicability of removal-fill laws

Dear Chair Clem and Member of the Committee:

The City of Portland Bureau of Environmental Services (BES) protects public health, water quality and the environment. We provide sewage and stormwater collection and treatment services to accommodate Portland's current and future needs. We protect the quality of surface and ground waters and conduct activities that plan and promote healthy ecosystems in our watersheds. Wetlands are considered critical infrastructure in our stormwater system to help us manage the approximately ten billion gallons of rain that fall on Portland annually.

**BES respectfully asks you to oppose HB 2786**, which would exempt all activities from removal-fill laws, permits, requirements and even exemptions on wetlands in the state unless the wetland was on the Statewide Wetland Inventory.

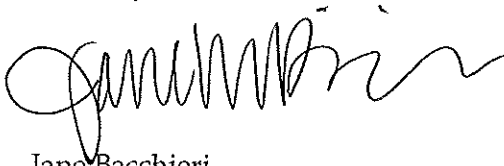
This law would leave the majority of wetlands in the City of Portland outside of the state's removal-fill laws. The Statewide Wetland Inventory is composed of a Local Wetland Inventory (LWI) and the National Wetland Inventory (NWI). Although many jurisdictions have completed LWIs, the City of Portland completed a Natural Resource Inventory to comply with Goal 5 of Oregon's Statewide Planning Goals and Guidelines; and therefore did not complete a Local Wetland Inventory, leaving the National Wetland Inventory as the only path to inclusion on the state list. As part of an ongoing Wetland Inventory Project, we have looked at the differences between our own internal wetland database and the recently updated NWI. Our inventory is not yet complete, but already we have identified a difference of over 1800 acres of wetland. That's more than 1800 acres of wetland in the City of Portland alone that perform as infrastructure for stormwater management that would suddenly be unprotected under DSL's laws.

Even for those jurisdictions that did complete an LWI, State regulations allow partial inventories and have no requirement for updating. This law will place a substantial burden on Portland and other jurisdictions who either did not do an LWI for Goal 5 compliance, completed partial inventories, or have not updated their inventories over

time. These jurisdictions would need to go through long expensive processes to either produce new LWIs or to propose and adopt wetland protection laws in order to protect the critical ecosystem functions.

For this reason, BES respectfully asks you to oppose HB 2786. Thank you for your time and if you have any questions please contact Dan Eisenbeis with Portland's Office of Government Relations at 503-823-3011 or [dan.eisenbeis@portlandoregon.gov](mailto:dan.eisenbeis@portlandoregon.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jane Bacchieri', written in a cursive style.

Jane Bacchieri  
Watershed Services Group Manager