

# Senate Bill 555

Sponsored by Senator JOHNSON (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Exempts certain activities completed for purpose of maintaining drainage from removal or fill permit requirements.

## A BILL FOR AN ACT

1  
2 Relating to the maintenance of agricultural drainage.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 196.600 to**  
5 **196.905.**

6 **SECTION 2 (1) ORS 196.810 does not apply to the following activities when completed for**  
7 **the purpose of maintaining drainage and protecting agricultural land:**

8 (a) **The removal of no more than 200 cubic yards of material at any one individual site**  
9 **from waters of this state in a calendar year, including in essential indigenous anadromous**  
10 **salmonid habitat.**

11 (b) **The fill of up to 200 cubic yards of material at any one individual site in waters of this**  
12 **state, unless the fill activity is proposed in essential indigenous anadromous salmonid**  
13 **habitat.**

14 (2) **In conducting a removal or fill activity authorized under this section a person must**  
15 **comply with the following conditions:**

16 (a) **The removal or fill activity must not result in the conversion of wetland to upland;**

17 (b) **The removal of woody vegetation must:**

18 (A) **Be limited to the minimum amount needed to complete the activity, including gaining**  
19 **access to the removal site; and**

20 (B) **Where practicable, be limited to the north and east sides of the stream channel;**

21 (c) **Equipment used to remove or fill material must operate from the top of the**  
22 **streambank, where feasible, or otherwise from a dry position below the top of the**  
23 **streambank;**

24 (d) **To the extent practicable, the activity must be implemented in a manner that na-**  
25 **turally maintains inlet and outlet connections with the main stream channel;**

26 (e) **As necessary, erosion control measures must be installed and maintained during the**  
27 **activity and after disposal of material; and**

28 (f) **A removal activity occurring in essential indigenous anadromous salmonid habitat**  
29 **must be conducted during periods that minimize adverse effects to fish and wildlife in ac-**  
30 **cordance with guidance provided by the State Department of Fish and Wildlife.**

31 (3) **As used in this section, "essential indigenous anadromous salmonid habitat" has the**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **meaning given that term in ORS 196.810.**

2

---