



January 30, 2019

Representative Brian Klem
Representative Susan McLain
Representative Bill Post
Oregon State Legislature
Salem, OR 97301

Via Electronic Mail

RE: Opposition to HB 2437

Dear Chair Clem, Co-Chairs McLain and Post and Committee Members:

The Wetlands Conservancy opposes HB 2437 as we feel more information is needed on the potential impacts to fish habitat and other wetland functions before moving from a permit to notice system. The large leap from 50-3,000 cubic yards of material is of great concern. Across the state there is a wide diversity of waterways on agricultural lands which include channelized intermittent streams channelized streams and constructed channels (“jurisdictional ditches”) draining historical floodplain wetlands) which provide important spawning, rearing and/or migration habitat for juvenile and adult salmonids and important habitat for other wetland plants. Channel maintenance activities, such as dredging channels and excavating sediments, aquatic vegetation and woody debris, and associated impacts to riparian areas, can have adverse impacts on the productivity and function of this habitat. If the intent of the bill is to ease the burden on agricultural maintenance while protecting natural resources, Oregon Department of Fish and Wildlife and Oregon Department of State Lands should play equal roles in the assessment and permitting as Oregon Department of Agriculture.

For 37 years, The Wetlands Conservancy has been working in partnership with communities all across Oregon to protect, conserve and restore Oregon’s wetlands. Many of these partnerships have been with private landowners, ranchers, farmers, surface water management agencies, and county governments in rural areas of Oregon. Through these projects we have found common vision on the roles that wetlands play in the landscape, ecological health, public health and safety, while also supporting agricultural and economic development. Through lots of discussion, joint research and inquiry and on-the-ground projects, we have been able to identify problem or conflict areas and look for collaborative solutions to avoid or mitigate the problems.

The Wetlands Conservancy appreciates the Wetlands Work Group's efforts and especially the work of the Agricultural Channel Sub-Work Group to address agricultural maintenance issues. We generally support the intent and objectives outlined in the Report including developing regulations that allow for maintenance of agricultural waterways used for drainage, while ensuring protection of natural resources consistent with State of Oregon conservation and recovery policies, plans and commitments.

As written HB 2437 will not support identifying maintenance compatibility or conflicts based on the types and locations of agricultural ditches, amount of material and timelines. In our experience around the state, we found have found that discussions and trust-building result in creative problem solving and healthier natural, human and economic environments. The Wetlands Conservancy supports and would be very interested in participating in a broad-based conversation and pilot project to better understand and address the issues identified by the subcommittee.

— 

Esther Lev
The Wetlands Conservancy
4640 SW Macadam Avenue #50
Portland, OR 97239
estherlev@wetlandsconservancy.org