



January 30, 2019

Representative Brian Clem  
Representative Susan McLain  
Representative David Brock Smith  
Oregon State Legislature  
Salem, OR 97301

Via Electronic Mail

### **Opposition to HB 2437-2**

**The Wetlands Conservancy opposes HB 2437-2.** While The Wetlands Conservancy understands and supports the desire for a drainage removal/fill process that works, and leads to increased compliance, we feel that the bill as written could undermine the goals and intent of the existing laws for removal fill of materials in Oregon's waters for maintenance activities. Wetlands are vital to the health of our environment and economic well-being in so many ways. Like kidneys, they absorb, filter and recirculate our water. In addition, they provide critical fish and wildlife habitat to so many of the iconic species we identify with Oregon. In the face of destructive floods, they serve as natural buffers helping to protect our communities. With the heightened awareness around limited water resources, their role in cleaning and recharging our water supply has become even more essential.

Our major concern with the -2 amendments is allowing the removal of up to 3,000 cubic yards per linear mile from intermittent, and even perennial, streams. The huge leap from 50 to 3,000 cubic yards of material with no documentation of farmer needs to move this large amount of material for "maintenance" activities is of grave concern and could potentially have major negative impacts on Oregon's streams and wetlands. As written, the location for the placement of fill material could be either "converted wetlands" (as in the current law) or in a healthy wetland. Any actions to simplify or lessen regulations in support of farming and economic development need to also weigh and consider the benefits lost when taking wetlands out of the landscape.

The bill definition of traditionally maintained channel is not limited to only ditches. If the bill is exclusively about "dry ditch" maintenance why are these words included? The exclusion of any public notice and comment in the -2 amendments does not allow public input on the ecological, social and environmental benefits being provided by the wetlands or the potential negative impacts to them by placement of fill material for up to a year. The need for landowner and public

notification and comment was a critical element of the Tillamook pilot wetland project that requires a conditional use permit. Why is that not carried over into this bill?

While we appreciate that the -2's do strip out EHS habitat, we are concerned about the number of streams that will not be covered that are home to both salmonids and other important native fish and aquatic species is of concern.

Thank you for this opportunity to provide comment.

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