



## **Support House Bill 3132**

HB 3132 promotes voluntary stream restoration efforts by private landowners in Eastern Oregon. This bill recognizes the important distinction between the need for regulation of major waterway alterations and the growing need for regulatory relief in restoring eroded streams to their original wetland condition.

**Background:** Many small streams in Eastern Oregon have been significantly degraded and eroded over time; largely due to the near eradication of native beaver populations by the late 1800's. The affected streams are fed primarily by snowmelt, and thus are subject to dry periods and dynamic high flows. Historically the beaver had a significant impact on stream systems and hydrology; their dams regulated flows and allowed for natural overflow onto the surrounding flood plains.

As a result of over-trapping and loss of habitat, many stream systems no longer support natural beaver populations or accompanying native trout. Without the benefits of natural beaver dams, flow velocity increases, causing erosion and down-cutting; as each season passes, the incision gets worse. Many streams have been cut down 10 feet or more from the original/natural surface level. Eastern Oregon has lost thousands of acres of natural riparian habitat along with the important ecosystem services provided by these acres. Once downcutting occurs, vegetation normally restricted to the uplands will invade riparian areas.

Further, with the increasing impacts of climate change, less and less water is available later in the year, which places additional stress on native fish populations. The ecological affects of stream restoration can restore meadowlands, native trout habitat, reduce upland vegetation in meadows, re-create fire breaks, sequester carbon, and ultimately foster the return of willows, sedges, trout, and beavers.

The use of "environmental restoration weirs," "artificial beaver dams" or "plug and pond" techniques, is being explored and successfully implemented throughout the West (with broad stakeholder support) as a means of restoring natural conditions. Implementation of these techniques typically triggers the need for a Removal-Fill permit issued by the Department of State Lands (DSL). The application process for obtaining individual permits from DSL is complicated, time-consuming, and expensive for landowners, creating a barrier to voluntary restoration efforts.

### House Bill 3132 addresses these problems by:

- Removing the general authorization for Removal-Fill Law permits required for restoration projects on small, intermittent, streams.
- Limiting the program to Eastern Oregon's small streams in closed basins that do not currently provide spawning, rearing or food producing areas for native redband trout (a species of concern).
- Directing ODFW to craft rules regarding construction, maintenance and monitoring of artificial beaver dams, which once fish are re-established, provides for fish passage.

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