

Date: March 4, 2019

To: House Committee on Agriculture and Land Use

RE: Opposition to HB 2796 - a threat to the health, wellbeing, and water security of vulnerable people and all Oregonians

Dear Representative Clem,

We write this letter to express our grave concern regarding House Bill 2796, which threatens to severely undermine the natural infrastructure that provides all Oregonians, ***especially vulnerable community members***, with clean air, clean water, and protection from floods and drought. Any policy that broadly encourages developers to undermine natural infrastructure and place already vulnerable people in harm's way is not acceptable. The language of this Bill essentially gives a free pass to developers while expecting the public to shoulder the near and long-term costs of inappropriate development. We believe that this Bill is ill-conceived and has the potential to do substantial harm.

We are concerned that House Bill 2796 could enable rampant wetland destruction in the name of affordable housing, while not actually generating any affordable housing. The definition of "needed housing" used by House Bill 2796 authors states that:

"needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary...including but not limited to households with low incomes" [emphasis added]. (2017 ORS 197.303)

Even if House Bill 2796 leads to the construction of additional affordable housing units— which is questionable based on the definitions adopted by the Bill authors – it would place this affordable housing in wetlands – a double jeopardy for potential buyers and occupants.

This is because building on wetlands can:

- **Increase vulnerability to the damaging effects of earthquakes:** seismic activity can cause wet granular soils to "liquefy" and be subject to increased risk of infrastructure damage, human mortality and morbidity;
- **Elevate exposure to hazards including flooding, subsidence, and erosion:** even highly degraded urban wetland sites can be flood hazard areas and serve important functions for flood and stormwater conveyance.
- **Impose future costs on unsuspecting buyers and renters:** the aforementioned conditions may also place undue costs on owners and occupants.

Wetlands offer tremendous benefits to the health of people. They help to filter and remove pollutants such as sediments and toxic substances from the ecosystem; they collect and store excess stormwater as well as the waters from flooding rivers, providing temporary storage areas for surplus water that may cause destruction to lives and properties; and they recharge groundwater.

The signatories to this letter affirm our broad support for affordable housing and policies that support vulnerable community members in attaining affordable housing. House Bill 2796 does not accomplish these goals and we strongly urge you to oppose its advancement. We thank you for your attention to this letter.

Sincerely,

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Esther Lev, Executive Director

The Wetlands Conservancy

Pat Lando, Executive Director **recode**

John DeVoe, Executive Director

WaterWatch of Oregon

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