

TESTIMONY
OF
Bill Ryan
Deputy Director
DEPARTMENT OF STATE LANDS
On House Bill 2436
Before the House Committee on Agriculture and Land Use
April 9th, 2019

Good afternoon, Chair Clem and members of the Committee. I'm Bill Ryan, Deputy Director of the Department of State Lands (DSL), here to speak to the -2 amendments of House Bill 2436.

We testified before you on this bill, with the -1 amendments, earlier this session on March 19th. At the time, our testimony was that DSL is happy to support this bill; and we took advantage of that opportunity to provide some background and information on a partial state 404 assumption concept.

Today we are back to continue our support of a partial state 404 assumption concept and, to that end, ask that you consider adopting the -2 amendments for HB 2436.

The -2s amendments include a set of activities, and other parameters, that DSL and the state would need to consider when moving forward with working with the EPA to build an Oregon partial assumption permit.

While an ideal scenario would include fewer restrictions or parameters, allowing DSL greater flexibility in light of the uncertainty in future EPA rule changes regarding 404 assumption, we acknowledge the hard work that has gone into the collaborative process of the -2 amendments.

DSL strongly supports the pursuit of a 404 assumption program.

The amendment before you for consideration today will allow Oregon to continue pursuing a partial 404 assumption program, an opportunity DSL believes is a benefit to our state. The -2s, like the -1s, direct DSL to draft a proposal for a partial 404 assumption program in the coming interim and bring that proposal back to the legislature in the 2020 session.

The -2s outline several agencies that the Department is directed to collaborate with while drafting this proposal.

They also identify a number of industries and activities considered within those industries that shall be **included** in partial assumption program, as well as industries that shall be **excluded** in a partial assumption program. The -2s further direct DSL to consider the UGB as a delineation for a number of assumption exemptions.

The -2s include a funding request for the DSL to carry out the work tasked to the Department in HB2436, a piece of the legislation that DSL considers imperative for the successful pursuit of a 404 assumption program.

I'm happy to answer any questions the committee may have regarding the 404 partial assumption concept, or the -2s but, outside of that, I'll close today with the reiteration of the fact that the Department of State Lands supports Oregon's efforts to adopt an assumption program and looks forward to beginning work on a partial assumption proposal.