

HB 2436

Relating to removal-fill laws

HB 2436 directs the Oregon Department of State Lands to develop a proposal for the partial assumption of the authority to administer permits for the discharge of dredge or fill materials under section 404 of the Federal Water Pollution Control Act.

The proposal must include recommendations for legislation to be introduced during the 2020 legislative session to provide adequate legal authority for the state to implement the partial assumption program.

A \$355,776 increase in the Other Funds expenditure limitation for the Department of State Lands for the development of the proposal is included in the bill.

The bill removes the requirement that the director of DSL consider all items of an enumerated list of considerations related to a removal-fill permit application; allowing the director to determine that an application is, or is not, consistent with statutory requirements for a permit to be issued, regardless of consideration of those items. The bill also eliminates certain restrictions on the purchase of credits from the Oregon Removal-Fill Mitigation Fund.

The Capital Construction Subcommittee recommends HB 2436 be amended by the –A10 amendment and be reported out do pass, as amended.