

# House Bill 2796

Sponsored by COMMITTEE ON AGRICULTURE AND LAND USE (at the request of Representative Brian Clem, Representative Bill Post)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Department of State Lands to develop rules to allow removal and fill of degraded wetlands for needed housing projects by general permit or authorization.

## A BILL FOR AN ACT

1  
2 Relating to needed housing projects in wetlands.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 196.600 to**  
5 **196.905.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **“Degraded wetlands” means wetlands in poor condition with diminished functions and**  
8 **values due to hydrologic manipulation, including diking, draining, filling, deep ripping, tiling,**  
9 **moling and other disturbances that demonstrably interfere with normal functioning of**  
10 **wetland processes.**

11 (b) **“Needed housing project” means a project for the development of needed housing, as**  
12 **defined in ORS 197.303;**

13 (2) **On or before January 1, 2021, the Department of State Lands shall evaluate and es-**  
14 **tablish rules, consistent with the requirements of ORS 196.600 to 196.905, to allow for re-**  
15 **moval and fill activities affecting degraded wetlands for the purposes of developing needed**  
16 **housing projects by:**

17 (a) **A general permit;**

18 (b) **A general authorization; or**

19 (c) **A combination of paragraphs (a) and (b) of this subsection.**

20 (3) **A condition of a permit or authorization under this section may not require**  
21 **compensatory mitigation at a ratio that exceeds one acre of restored wetlands per four acres**  
22 **of impacted degraded wetlands.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.