

Senate Bill 799

Sponsored by Senator GIROD (at the request of Karen Darnell)

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**.

Directs Department of State Lands to pursue methods to coordinate removal-fill permitting process with Department of Environmental Quality water quality certification process. Directs Department of Environmental Quality to pursue methods to coordinate water quality certification process with Department of State Lands removal-fill permitting process.

A BILL FOR AN ACT

1
2 Relating to water quality; creating new provisions; and amending ORS 196.795.

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

4 **SECTION 1.** ORS 196.795 is amended to read:

5 196.795. (1) The Department of State Lands shall continue to pursue methods to streamline the
6 process for administering permits for the removal of material from the bed or banks of any waters
7 of this state or for filling the waters of this state, reducing paperwork, eliminating duplication, in-
8 creasing certainty and timeliness and enhancing resource protection. The efforts of the Department
9 of State Lands shall include but need not be limited to applying to the United States Army Corps
10 of Engineers for a state program general permit as authorized in federal regulations implementing
11 section 404 of the Federal Water Pollution Control Act, and section 10 of the Rivers and Harbors
12 Act of 1899, as amended.

13 (2) In conjunction with *[these activities]* **the activities described in subsection (1) of this**
14 **section**, the Department of State Lands:

15 (a) May continue to investigate the possibility of assuming the federal regulatory program under
16 33 U.S.C. 1344(g) of the Federal Water Pollution Control Act; **and**

17 (b) **Shall coordinate with the Department of Environmental Quality to pursue methods**
18 **to coordinate the process for administering permits described in subsection (1) of this section**
19 **with the Department of Environmental Quality's administration of water quality certifi-**
20 **cations under section 401 of the Federal Water Pollution Control Act, P.L. 92-500, as**
21 **amended. Methods pursued under this paragraph shall include but need not be limited to**
22 **methods for consolidating public notice and comment processes.**

23 [(2)] (3) The Department of State Lands shall report periodically to the appropriate legislative
24 committee on the progress in implementing *[subsection (1) of]* this section.

25 **SECTION 2.** **The Department of Environmental Quality shall coordinate with the De-**
26 **partment of State Lands to pursue methods to coordinate the Department of Environmental**
27 **Quality's administration of water quality certifications under section 401 of the Federal Wa-**
28 **ter Pollution Control Act, P.L. 92-500, as amended, with the Department of State Lands**
29 **process for administering permits for the removal of material from the bed or banks of any**
30 **waters of this state or for filling the waters of this state. Methods pursued under this section**

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.

1 **shall include but need not be limited to methods for consolidating public notice and comment**
2 **processes.**

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