



Oregon

Kate Brown, Governor

Department of Transportation

Director's Office

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DATE: February 7, 2020

TO: Senate Committee on Environment and Natural Resources

FROM: Lindsay Baker, Assistant Director
Oregon Department of Transportation

SUBJECT: Senate Bill 1511 – Environmental Restoration Weirs

INTRODUCTION

Senate Bill 1511 requires the Oregon Department of Fish and Wildlife (ODFW) to adopt rules and administer a program for the voluntary installation of environmental restoration weirs east of the Cascade Mountains. The measure discusses the interaction of environmental restoration weirs and fish passage requirements, and the circumstances in which ODFW (in coordination with the Water Resources Department) will require modification to weirs. The criteria for evaluating environmental restoration weirs will be determined by ODFW by rule.

DISCUSSION

The Oregon Department of Transportation manages a statewide network of roads, bridges, culverts, and other transportation infrastructure. As the purpose of environmental restoration weir installation is to change the streamflow of existing waterways, they have the ability to adversely impact existing transportation infrastructure. As written, Senate Bill 1511 does not ensure sufficient consideration of these potential impacts, nor does it impose appropriate liability on restoration weir permit holders in the event of adverse impact. Coordination between ODFW, ODOT, and the applicant during the application review phase is crucial to protect state assets and maintain the integrity of existing mitigation efforts, such as fish passages.

While ODOT does not anticipate the impact from Senate Bill 1511 will be significant as the streams covered under this measure are expected to be few, the proposed amendment language will ensure ODOT is able to meaningfully engage in this process.

SUMMARY

ODOT appreciates the proponents' willingness to address these concerns and provide additional specificity via amendment; ODOT looks forward to reviewing that amendment upon its publication. Upon passage, ODOT looks forward to continued partnership with ODFW and the proponents during the rulemaking process.

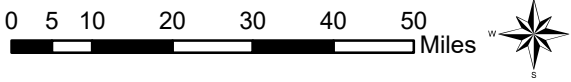
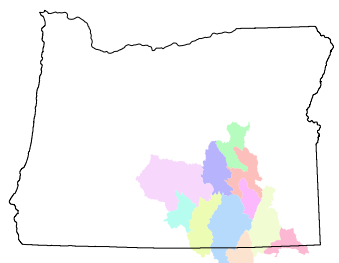
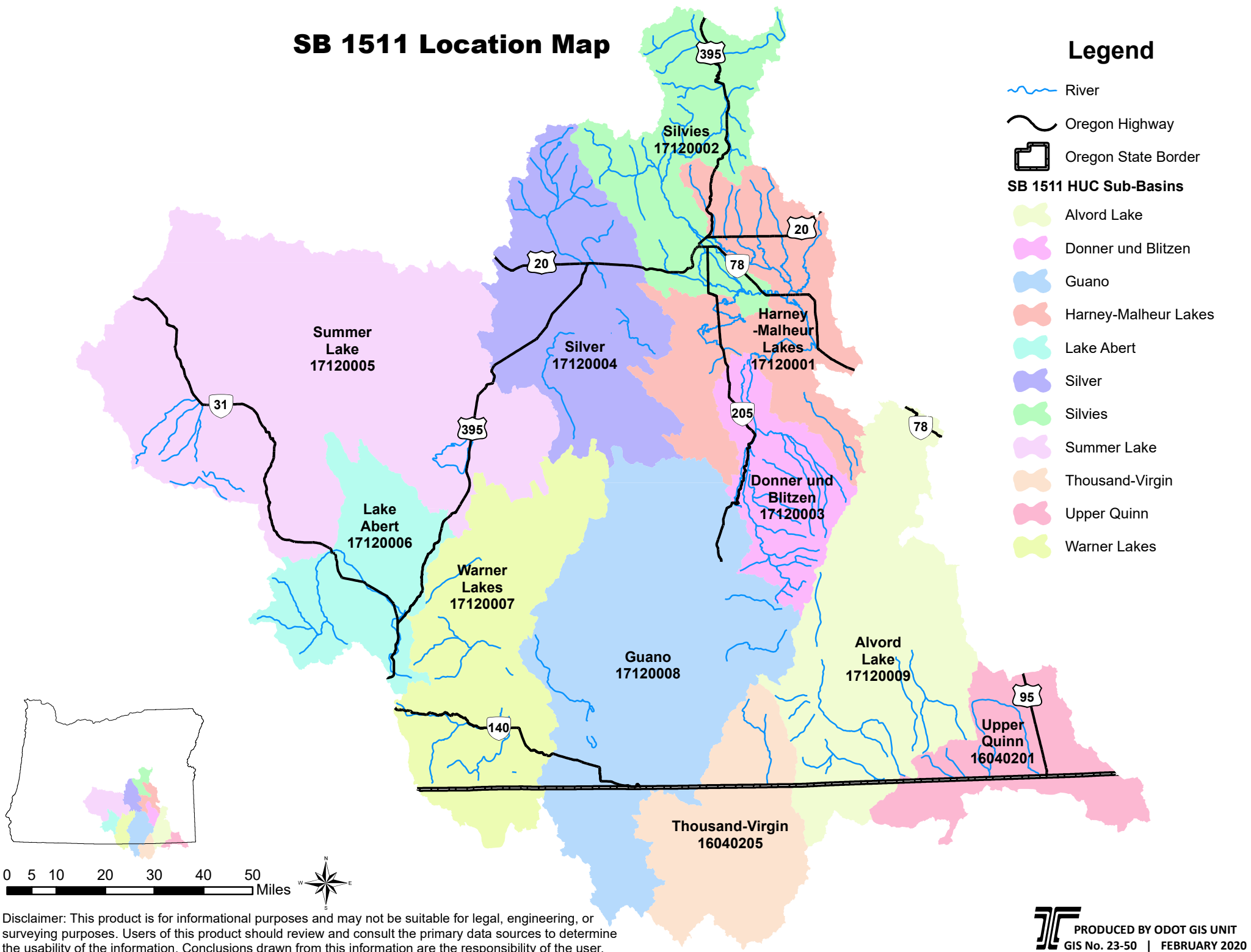
Please feel free to reach out to me with any additional questions.

Enclosed: Attachment A

SB 1511 Location Map

Legend

- River
- Oregon Highway
- Oregon State Border
- SB 1511 HUC Sub-Basins**
 - Alvord Lake
 - Donner und Blitzen
 - Guano
 - Harney-Malheur Lakes
 - Lake Abert
 - Silver
 - Silvies
 - Summer Lake
 - Thousand-Virgin
 - Upper Quinn
 - Warner Lakes



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