

HB 2032 STAFF MEASURE SUMMARY

House Committee On Agriculture and Natural Resources

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Meeting Dates: 2/4

WHAT THE MEASURE DOES:

Establishes that Department of State Lands (DSL) or Oregon Department of Agriculture (ODA) rules for implementing traditionally maintained channels program may provide for implementation on region-by-region basis. Requires implementation throughout state within five-year period. Establishes that the adoption of rules for regional implementation does not modify DSL, ODA or Department of Fish and Wildlife duties, functions, or powers under the traditionally maintained channels program. Sunsets Act on January 2, 2031. Declares emergency, effective on passage.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon farmers remove silt build-up from waterways on their agricultural lands to ensure drainage of subsurface water. Typically, the volume of material they are legally allowed to remove under the state removal-fill law is limited to 50 cubic yards without a permit for most channels and 100 cubic yards with a streamlined general permit. The removal of larger quantities of material may be permissible with an individual permit. The Department of State Lands is the regulatory agency that administers the removal-fill law and issues permits for activities that occur within waters of the state. The legislature passed House Bill 2437 in 2019, establishing a notice-based program for agricultural maintenance activities in dry, traditionally maintained channels.

House Bill 2032 would establish that Department of State Lands and Oregon Department of Agriculture rules for implementing the traditionally maintained channels program may provide for regional implementation, and would require implementation throughout the state within a five-year period.