

HB 2218 -1 STAFF MEASURE SUMMARY

House Committee On Economic Recovery and Prosperity

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Meeting Dates: 2/11, 3/18

WHAT THE MEASURE DOES:

Requires Department of State Lands to study impact of wetlands laws on economic development and to provide results of the study by September 15, 2022. Sunsets on January 2, 2023. Takes effect on 91st day after sine die.

ISSUES DISCUSSED:

- Cost of remediation
- Collaboration between cities
- Impact of wetlands on development

EFFECT OF AMENDMENT:

-1 Replaces the Department of State Lands with Oregon Business Development Department.

BACKGROUND:

"Wetlands" are defined as those areas that are inundated or saturated by surface or ground water at a frequency and duration that are sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

The Oregon Department of State Lands (DSL) is the administrative arm of the State Land Board, Oregon's longest-serving board. In 1989, the Legislative Assembly assigned the DSL with responsibilities under the Oregon Wetlands Conservation Act. Under the Act, the DSL is responsible for compiling and maintaining a comprehensive Statewide Wetlands Inventory, and for reviewing any wetland conservation plan submitted by a city or county to ensure the plan complies with specified standards. Those standards prohibit a plan from interfering with public health and safety; require protection, conservation and best use of water resources and use of state waters for navigation, fishing and public recreation; and require designation of wetlands for protection, conservation and development consistent with resource functions and values of the area and the capability of the wetland area to withstand alterations and maintain important functions and values. In 1995, the Oregon Division of State Lands released Oregon's Wetlands Conservation Strategy, which included recommendations for continued development of a wetlands mitigation policy that promotes avoidance, compensatory mitigation alternatives, and the use of buffers.

House Bill 2021 would require the DSL to study the impact of laws related to wetlands on economic development, and to report the results of the study by September 15, 2022.