



Support House Bill 2298

HB 2298 promotes voluntary stream restoration efforts by private landowners in Eastern Oregon. This bill recognizes the important distinction between the need for regulation of major waterway alterations and the growing need for regulatory relief in restoring eroded streams to healthy ecosystems.

Background: Many small streams in Eastern Oregon have been degraded and eroded over time; due in part to the near eradication of native beaver populations by the late 1800's. The affected streams are fed primarily by snowmelt, and thus are subject to dry periods and dynamic high flows. With the loss of the benefits of natural beaver dams, these systems are experiencing flow velocity increases, causing erosion and down-cutting; as each season passes, the incision gets worse. Many streams have been cut down 10 feet or more from the original/natural surface level. Eastern Oregon has lost thousands of acres of natural riparian habitat along with the important ecosystem services provided by these acres. Once downcutting occurs, vegetation normally restricted to the uplands will invade riparian areas.

Further, with the increasing impacts of a changing climate, less and less water is available later in the year, which places additional stress on native fish populations. The ecological affects of stream restoration in Eastern Oregon can restore meadowlands, native trout habitat, reduce upland vegetation in meadows, re-create fire breaks, sequester carbon, and ultimately foster the return of willows, sedges, trout, and beavers.

The use of "environmental restoration weirs," "artificial beaver dams" or "plug and pond" techniques, is being explored and successfully implemented throughout the arid West (with broad stakeholder support) as a means of restoring natural conditions. Implementation of these techniques typically triggers the need for a Removal-Fill permit issued by the Department of State Lands (DSL). The application process for obtaining individual permits from DSL is complicated, time-consuming, and expensive for landowners, creating a barrier to voluntary restoration efforts.

House Bill 2298 addresses these problems by:

- Removing the general authorization for Removal-Fill Law permits required for restoration projects on small, intermittent, streams.
- Limiting the program to Eastern Oregon's small streams in closed basins that do not currently provide spawning, rearing or food producing areas for native redband trout (a species of concern).
- Directing ODFW to craft rules regarding construction, maintenance and monitoring of artificial beaver dams, which once fish are re-established, provides for fish passage.

For more information please contact Rocky Dallum, 503-830-5098, rocky.dallum@tonkon.com.