



February 2, 2026

Senator Golden, Chair

Senator Nash, Vice-Chair

Members of the Senate Committee on Natural Resources and Wildfire

Re: NFS CONCERNS WITH SB 1584

Chair Golden, Vice-Chair Nash and Members of the Committee,

Native Fish Society¹ submits this testimony to share several significant concerns regarding SB 1584—a bill to create a new compensatory mitigation instrument in Coos County. We want to begin by acknowledging that all parties involved in this discussion share the same ultimate goal: the recovery of abundant native fish and the conservation of healthy, functioning river ecosystems. However, we believe this specific mechanism presents substantial risks to Oregon's regulatory and fiscal stability and the conservation and recovery of our wild, native fish populations.

1. Redundancy: A Solution in Search of a Problem

SB 1584 proposes a complex new "Salmon Credit" compensatory mitigation bank program to incentivize restoration in Coos County, yet Oregon already possesses a robust and successful incentive-based restoration landscape. Programs such as the Conservation Reserve Enhancement Program (CREP)—a partnership between the USDA and OWEB—already provide annual rental fees and cover up to 100% of restoration costs for landowners. Furthermore, OWEB grant programs provide millions of dollars annually for on-the-ground projects meant to directly benefit fish and aquatic resources, and Monsanto settlement funds are expected to bring hundreds of millions to aquatic restoration projects around the state in the coming decades.

For developers, our existing Removal-Fill Law (ORS 196.600 to 196.921) already provides clear, scientifically vetted pathways for compensatory mitigation and mitigation banking. Adding a parallel, duplicative bureaucracy does not create new restoration; it simply complicates the existing pathways that already provide opportunities for development while seeking to minimize the impacts.

2. Fiscal and Administrative Capacity Concerns

The bill establishes a new Salmon Credit Trust Fund and requires the Department of State Lands (DSL) to ensure the program is "adequately staffed" to process transactions in an "expeditious manner" (Section 3(8)).

¹ The Native Fish Society is a registered 501(c)(3) nonprofit with a mission to restore abundant wild fish, free-flowing rivers, and thriving local communities across Oregon and the Pacific Northwest.



Standing up this program will require significant new General Fund allocations at a time when state agencies are facing budget reductions.

Of particular concern is Section 9, which directs agencies to spend limited resources seeking federal approval for a new "bank instrument." History suggests that federal agencies are unlikely to approve a program that lacks the rigorous additionality and site-specific requirements they demand. Passing this bill would sentence our agencies to a cycle of administrative legwork for a program that may never even become operative. We must keep agency budgets focused on delivering core missions, rather than diverting funds for an experiment with such a high degree of uncertainty.

3. Ecological Risk: The Watershed Swap Precedent

The most concerning biological aspect of the bill is its departure from established proximity standards. Currently, compensatory mitigation is prioritized within the same small, fifth-field watershed to ensure that the harm to aquatic habitats is mitigated as close as possible to the site of the impact. This is vital given each watershed supports different salmon populations and runs.

SB 1584 ignores this by allowing watershed swapping between the Coquille and Coos watershed basins. These are distinct subbasins with distinct fish populations and habitat needs. Allowing a developer to destroy habitat in one basin and offset it miles away in another sets a dangerous precedent for our removal-fill regulations and risks a net loss for localized, threatened wild salmon runs.

Conclusion

A short legislative session is not the time to codify such confusing and potentially risky changes to Oregon's removal-fill and restoration landscape. Our wild salmon, rivers, and landowners deserve science-based stability, not market-based experiments. We urge the committee to consider the fiscal and ecological implications of this measure and protect the integrity of our existing salmonid habitats.

Sincerely,

Jennifer Fairbrother
Legislative & Policy Director