

April 26-27, 2016 OWEB Board Meeting Executive Director Update O-3: Legislative Summary

Introduction

This report provides the Board with a wrap up of the 2016 legislative session and OWEB preparations for the 2017 legislative session.

2016 Legislative Session

The Oregon Legislature met from February 1 to March 3 for the “short” session which is held during even-numbered years. OWEB did not have any agency bills before the Legislature, but one policy bill was passed, and is anticipated to be signed by the Governor, that relates to OWEB wetland investments in Tillamook County.

SB 1517 authorizes Tillamook County to adopt a pilot program for projects that create, restore, or enhance wetlands on land zoned Exclusive Farm Use (EFU) in the county. The pilot program establishes two paths for site-specific wetlands projects. It also initiates a larger planning process for wetlands projects in the county.

The first site-specific path for a wetlands project applicant is to apply for a permit through the county that will evaluate the project under certain standards related to changes to land use patterns and impacts to neighboring properties. The second path for a wetlands project applicant is to enter a project-specific collaborative process including any person whose property may be adversely affected the proposed use and technical experts in the field of wetlands. The wetlands project applicant can discontinue the project-specific collaborative path by request and resume the permit application through the first path described above.

The broader planning process for Tillamook County to initiate is dependent on outside funding being made available, and would identify areas in the county zoned EFU which are suitable for wetland creation, restoration, or enhancement and which are priority areas for the maintenance of agricultural use. Once completed, the plan would allow for a process to deny permits or streamline the permitting process for wetland project applications.

The pilot program established by SB 1517 does not include wetlands projects that are related to mitigation banking, reclamation of lands affected by surface mining, associated with certain permit requirements, constructed prior to the adoption of the pilot program, or only involve planting vegetation in wetlands or riparian areas.

Preparations for 2017 Legislative Session

OWEB is currently developing two potential legislative concepts (drafts of ideas for legislation) for the 2017 legislative session.

- *Working Farms and Ranches Program.* This legislative concept would develop a program to help landowners maintain working farms and ranches while providing incentives and support for conservation benefits on those lands. The incentives are

intended to allow for flexibility for landowners, offer a balance between economic and conservation needs, and provide leverage for federal funding.

A Working Farms and Ranches Work Group has been meeting regularly. Although the group has begun discussing potential policy recommendations, meetings held in April and May will fully flesh out this legislative concept with specific solutions for creating a Working Farms and Ranches program that will develop new voluntary tools that complement Oregon's land use planning program, conserve long-term agricultural productivity, and maintain healthy natural resources on Oregon's working lands.

- *OWEB Statute Clean-up.* This legislative concept would provide fixes to OWEB statutes, including the Oregon Plan, Oregon Plan Administration and Watershed Enhancement Program, and Program Funding and Programs. The expected revisions are expected to include additional language that will revitalize certain statutes and remove aspects of the statutes that are longer relevant.

Staff Contact

If you have questions or need additional information, contact Meta Loftsgaarden at meta.loftsgaarden@state.or.us or 503-986-0180, or Eric Hartstein at eric.hartstein@state.or.us or 503-986-0029.