



May 18, 2015

Senator Chris Edwards, Chair
Senate Committee On Environment and Natural Resources
Oregon State Legislature

Testimony for HB 3217-A

The Network of Oregon Watershed Councils (NOWC) and Oregon Association of Conservation Districts (OACD) work in partnership to support the efforts of nearly 90 watershed councils and 45 soil and water conservation districts statewide. Councils and districts have a long history of working with landowners to complete voluntary stream restoration and conservation projects statewide. We recognize a substantial body of literature that supports a variety of techniques for restoring incised stream channels, including the installation of in-stream structures similar to those contemplated by HB 3217. We recognize this bill is a pilot project, and that it has already been amended to address some fish passage issues, but still have outstanding concerns.

We support simplification of permitting processes, but not at the cost of losing current protections and oversight, which take into account important site-specific factors. Councils, districts, and their partners have invested significant public and private resources into removing barriers to fish habitat, and it's important to protect these investments. HB 3217 does not contemplate sufficient site-level review of fish passage considerations, and it seems counterproductive to construct potentially large unnatural structures that could impede fish passage. There are restoration techniques that can be used to achieve the objectives intended by HB 3217 without installing gravel or rock dams that impede fish passage.

If the bill is to move forward, we suggest clarifying requirements for construction techniques to include methods that support natural stream function and fish passage in areas of historic or current native fish habitat. Fish passage concerns should be analyzed prior to construction of any new structures, not after such structures restore flows as the bill currently states.

We appreciate your time and consideration,

Ryan Gordon, Executive Director, NOWC
ryan@oregonwatersheds.org

Jerry Nicolescu, Executive Director, OACD
jerry.nicolescu@oacd.org