

D R A F T

SUMMARY

Requires Department of State Lands to develop rules to allow removal and fill of degraded wetlands for needed housing projects by general permit or authorization.

A BILL FOR AN ACT

Relating to needed housing projects in wetlands.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 196.600 to 196.905.

SECTION 2. (1) As used in this section:

(a) “Degraded wetlands” means wetlands in poor condition with diminished functions and values due to hydrologic manipulation, including diking, draining, filling, deep ripping, tiling, moling and other disturbances that demonstrably interfere with normal functioning of wetland processes.

(b) “Needed housing project” means a project for the development of needed housing, as defined in ORS 197.303;

(2) On or before January 1, 2021, the Department of State Lands shall evaluate and establish rules, consistent with the requirements of ORS 196.600 to 196.905, to allow for removal and fill activities affecting degraded wetlands for the purposes of developing needed housing projects by:

(a) A general permit;

(b) A general authorization; or

1 **(c) A combination of paragraphs (a) and (b) of this subsection.**
2 **(3) A condition of a permit or authorization under this section may**
3 **not require compensatory mitigation at a ratio that exceeds one acre**
4 **of restored wetlands per four acres of impacted degraded wetlands.**

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