



## Help Farmers Maintain Their Drainage Ditches: SUPPORT HB 2437

The maintenance of agricultural drainage ditches is critical to maintaining healthy, functional farmland in the wet parts of the state, particularly in the Willamette Valley and coastal regions. HB 2437 allows farmers a clear path to clean their ditches.

- **Ditch cleaning is essential to maintain farmland.** Oregon's most productive agricultural lands are the low-laying, floodplains with highly productive soils, capable of growing many of Oregon's 225+ commodities. The health of these lands is dependent on adequate drainage through ditches that were dug at the time the land came into agricultural production. However, because of the geographic location of these lands, the drainage ditches can become clogged over time, requiring regular maintenance.
- **Ditch cleaning is exempt from regulation, but DSL reads this exemption to be meaningless.** Even though maintenance of drainage ditches is exempt from regulation under Oregon law, DSL has taken the position that if a drainage ditch was dug in a wetland or where water otherwise would have flowed, then it is not a "drainage ditch" but rather a channelized stream and falls under fill and removal laws. DSL's interpretation has rendered the maintenance exemption virtually meaningless. HB 2437 is needed to avoid protracted litigation over this exemption.
- **Most farmers are unaware of permitting requirements.** Because DSL's enforcement of its program is complaint-driven and there is an exemption in Oregon law, most farmers have no idea that DSL is asserting jurisdiction over ditch cleaning. This has led to sporadic enforcement and the fining of farmers.
- **HB 2437 was the result of an extensive workgroup process.** HB 2437 was developed through hours of meetings of the interim House Agricultural and Natural Resources' Agricultural Ditches Subgroup. While a long ways from the original proposal by the farming community, HB 2437 represents a significant compromise between agricultural and environmental stakeholders. It provides a path for maintenance of ditches with state oversight, is conditioned to protect environmental outcomes, and places education and compliance in the forefront.

Our coalition urges your support for HB 2437.

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