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House Committee on Natural Resources

Testimony in support of HB 2979

Submitted by: Jena Carter, Oregon Coast and Marine Director, The Nature Conservancy

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On behalf of The Nature Conservancy, I am testifying in support of HB 2979, a bill to appropriate monies to support technical assistance and information to landowners for complying with certain requirements related to replacement or repair of tide gates with opening size of four feet or smaller.

The Nature Conservancy (TNC) is a science-based and non-partisan conservation organization. Our mission is to protect the lands and waters on which all life depends. TNC has over 70,000 supporters statewide with members in every county in Oregon. Our staff, based in communities across the state, work collaboratively with tribes, government agencies, elected officials, landowners, businesses, and stakeholders to develop solutions to the challenges facing people and nature.

The same soils that are favored by nature in lands adjacent to estuaries and tidal wetlands are also favorable to agriculture and livestock grazing. To gain access to these soils, thousands of low-lying tidal wetlands acres on the Oregon Coast were drained and infrastructure, such as tide gates, levees, and channels, was built to control the tide reduce flooding and drain the land of rainwater. This infrastructure allows for productive working lands, but can also restrict access for lamprey, salmon and other aquatic species from accessing their historic streams and floodplains.

Many tide gates on the Oregon Coast and Columbia River estuaries were installed 30-50 years ago. Today, some of these tide gates no longer function correctly, utilize old technologies, and do not meet Oregon's standards for fish passage.

A voluntary and collaborative-minded group of partners, called the Tide Gate Partnership, formed to identify the challenges and impediments to tide gates. Over the past few years, the partnership has grown to include landowners, eight state and federal agencies, four agricultural organizations, counties, and conservation organizations including The Nature Conservancy. The group has conducted research, identified areas of opportunity for action, developed a work plan, and hosted two rounds of "listening sessions" in coastal communities. Through this process, the Tide Gate Partnership has identified five action areas that are needed to positively impact tide gate removal, repair and replacements.

1. Tide gate inventories – Inventories help identify where tide gates are located, their condition, and other factors to understand the scope and scale of the tide gate situation.
2. Decision support tools – Models and tools can assist decision-makers in identifying the most important locations to invest public and private dollars to maximize the habitat and agricultural benefits.
3. Engineering – This focuses on engineering-related issues associated with tide gate projects and seeks to encourage entrepreneurship on tide gate technologies.
4. Regulatory – This work is exploring regulatory assurances for landowners who volunteer for tide gate improvement projects.
5. On-the-ground projects – Demonstration projects will help explore and document new approaches for tide gate projects, provide lessons learned, and identify future considerations for planning and implementation.

As we work to advance these important ideas, technical assistance and partnerships in each watershed will be key to implementation. The robust network of watershed councils, soil and water conservation districts, estuary partnerships, and others on the Oregon Coast play an important role in this. In addition, it has become clear that additional capacity could provide a complimentary role. By providing funding through the Association of Oregon Counties, capacity can be integrated into this on-the-ground network to assist in the exchange of lessons learned between watersheds, serve as a liaison between landowners and government agencies, and respond to planning, designing and monitoring questions that emerge from landowners.

In closing, The Nature Conservancy urges you to support HB 2979.

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