

**SB 1511 A STAFF MEASURE SUMMARY****Carrier:** Rep. Helm**House Committee On Rules**


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**Action Date:** 02/25/20  
**Action:** Do Pass the A-Eng bill.  
**Vote:** 4-0-0-3  
**Yeas:** 4 - Fahey, Holvey, Nosse, Smith Warner  
**Abs:** 3 - Drazan, Sprenger, Zika  
**Fiscal:** Fiscal impact issued  
**Revenue:** No revenue impact  
**Prepared By:** Melissa Leoni, LPRO Analyst  
**Meeting Dates:** 2/25

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**WHAT THE MEASURE DOES:**

Directs Oregon Department of Fish and Wildlife (ODFW) to adopt rules and administer a program authorizing voluntary construction of environmental restoration weirs for stream restoration and habitat improvement. Requires authorized weirs be constructed by July 1, 2031, on qualifying streams in any closed basin east of the summit of the Cascade Mountains from which water does not flow to the Pacific Ocean. Requires project to comply with applicable local floodplain regulations. Requires participants provide fish passage if ODFW determines native migratory fish are present prior to weir construction. Exempts project from fish passage requirements if no migratory fish are present. Allows ODFW to require either: (1) fish passage that is economically practicable to person engaging in project and constructed from locally available materials, or (2) mitigation with net benefit to native migratory fish if native migratory fish return to stream after weir construction. Requires participants maintain weirs up to 10 years. Allows ODFW to require photo monitoring and third-party monitoring of weirs. Places conditions on third-party monitoring, if required by ODFW. Requires participants modify weirs if found by Water Resources Department to result in injury to existing water right or if found by ODFW to have significant detrimental impact on native migratory fish. Directs ODFW to coordinate with Oregon Department of Transportation (ODOT) to consider any potential impacts of project on transportation infrastructure or planned transportation infrastructure. Authorizes ODFW, in coordination with ODOT, to at any time require modification of weir if found to adversely impact transportation infrastructure. Exempts planting or removal of riparian vegetation associated with weir project from riparian management requirements under Oregon Forest Practices Act. Exempts authorized weirs from obtaining removal-fill permit. Requires ODFW adopt rules establishing program in time for rules to become operative no later than one year after effective date of Act. Requires ODFW to submit report on extent and impact of program by December 31, 2026, to interim environment and natural resources committees of Legislative Assembly. Requires ODFW make recommendations for legislation and submit report with assessments of stream conditions prior to and after construction of environmental restoration weirs to interim environment and natural resources committees of Legislative Assembly by September 15, 2031. Defines terms. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Benefits of beavers, the efforts to bring beavers back, and the tools needed to change degraded stream conditions
- Performance of weir structures
- Materials used in weir projects

**EFFECT OF AMENDMENT:**

No amendment.

## **SB 1511 A STAFF MEASURE SUMMARY**

### **BACKGROUND:**

Historically, many small streams in eastern Oregon were inhabited by beavers and strongly influenced by the semi-aquatic rodents' ability to modify their physical surroundings. The dams that beavers construct have the effect of slowing the flow of water, allowing for natural overflow onto surrounding flood plains, and providing many benefits to stream ecosystems and their hydrologic function. Beavers were nearly extirpated from the Pacific Northwest by 1900, largely as a result of the hunting and trapping of beavers for their furs.

Senate Bill 1511-A requires the Oregon Department of Fish and Wildlife to adopt rules and administer a program that authorizes the voluntary construction of environmental restoration weirs for stream restoration and habitat improvement in eastern Oregon.