

Representative Susan McLain

House District 29



Chairman Witt, Vice-Chairs Hudson and Breese-Iverson, and Members of the Committee, thank you for your time. For the record my name is Susan McLain and I represent House District 29 in Western Washington County.

In 2019, the Legislature successfully passed [House Bill 2437](#), which established the Agricultural Channel Maintenance Program. The maintenance of agricultural drainage ditches is critical to maintaining healthy functional farmland in the wet parts of the state. [HB 2437](#) successfully created a process for authorizing ditch cleaning that is workable for farmers while ensuring that ecological values associated with ditches are maintained and protected.

There is one aspect of the Agricultural Channel Maintenance Program that is left unclear. Under the current statute, it could be interpreted that the program allows for the placement of materials removed from traditionally maintained channels to be placed in wetlands. **It was not the intent of the program to allow placement of material in undisturbed wetlands, either temporarily or permanently. The intent was to limit placement of material to farmed or previously impacted wetlands.**

House Bill 3185 provides **statutory language specifying that material removed from traditionally maintained channels during maintenance activities cannot be placed on or in undisturbed wetlands, either temporarily or permanently.** This is a simple yet important clarification to ensure that the program honors the ecological values associated with ditches.

House Bill 3185 is the result of extensive conversations involving the Oregon Farm Bureau, WaterWatch, The Nature Conservancy, and Trout Unlimited to ensure that the fix put forward protects the intent of the Agricultural Channel Maintenance Program. I encourage you to pass HB 3185.