



WaterWatch of Oregon

Protecting Natural Flows in Oregon Rivers

Testimony of WaterWatch of Oregon (Brian Posewitz) on HB 2298 Senate Committee on Natural Resources and Wildfire Recovery

April 19, 2021

Chair Golden, Vice Chair Heard and Members of the Committee:

WaterWatch of Oregon is a non-profit river conservation organization founded in 1985. WaterWatch works to ensure that enough water is protected in Oregon's rivers, lakes and streams to sustain fish, wildlife, recreation and other public uses. We also work for balanced water laws and policies, and for protection and restoration of the free-flowing character of Oregon's rivers and streams. WaterWatch has members across Oregon who care deeply about our rivers, their inhabitants, and the effects of water laws and policies on these resources.

WaterWatch is neutral on House Bill 2298, which reflects negotiated changes to earlier versions of the same legislative concept.

HB 2298 is the latest in a series of proposals from Silvies Valley Ranch to exempt certain in-stream structures – variously called “artificial beaver dams,” “restoration check dams,” and now “restoration weirs” – from certain environmental laws. Silvies believes these structures can help restore “incised” streams (streams that erode into narrow channels disconnected from their floodplains) by recreating the hydrological effects of beaver dams that disappeared after beavers were largely eradicated through trapping and habitat destruction.

WaterWatch has worked on this issue since a bill was first introduced at the request of Silvies in 2015 (HB 3217). WaterWatch opposed HB 3217 and a similar bill in 2019 (HB 3132) because those bills would have allowed unacceptable impacts to fish, water quality and water resources management. (See [Testimony of WaterWatch to Senate Environment and Natural Resources \(2015\)](#).) HB 2298 includes several negotiated changes to address WaterWatch's most significant concerns.¹ Based on those changes, WaterWatch does not oppose the bill.²

¹ For example, HB 2298, unlike earlier versions of the same legislative concept, requires compliance with fish passage laws if “native migratory fish” (a term that includes resident fish) are present, does not allow the structures to “store or appropriate” water, and gives the state authority to require modifications to structures found to be injuring existing water rights or causing significant detrimental impacts to fish.

² WaterWatch understands that other groups and individuals may have additional concerns about HB 2298. WaterWatch takes no position as to those concerns.

WaterWatch appreciates the efforts of Silvie and sponsors of the bill to address our concerns.

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