

House Bill 2163

Sponsored by Representatives SMITH DB, SCHARF (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits certain information collected during traditionally maintained channel study from being used by Department of State Lands in essential indigenous anadromous salmonid habitat map or included in database of fish habitat distribution maintained by State Department of Fish and Wildlife.

A BILL FOR AN ACT

1
2 Relating to traditionally maintained channels; amending section 10, chapter 699, Oregon Laws 2019.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** Section 10, chapter 699, Oregon Laws 2019, is amended to read:

5 **Sec. 10.** (1) The College of Agricultural Sciences of Oregon State University shall conduct a
6 study of the benefits and impacts of maintenance activities in traditionally maintained channels on
7 habitat complexity and other biological parameters, including the benefits and impacts of mainte-
8 nance activities for fish and wildlife that inhabit the channels. In conducting the study, the college
9 shall assess the impacts of maintenance activities at a variety of geographic locations, in a variety
10 of channel types and on a variety of channel conditions.

11 (2) In designing and implementing the study, the college shall consult with representatives of
12 agricultural interests and conservation interests, the Department of State Lands, the State Depart-
13 ment of Agriculture, the State Department of Fish and Wildlife and any other interested agencies
14 of state government, as defined in ORS 174.111, as necessary to develop study questions and to de-
15 sign the study in a manner that will best align with the needs of the Department of State Lands, the
16 State Department of Agriculture and the State Department of Fish and Wildlife in applying adaptive
17 management to the implementation of [*sections 2 to 8 of this 2019 Act and*] ORS 196.816 (3) **and**
18 **196.906 to 196.919.**

19 (3) The college shall submit a report on the study required by this section, and may include
20 recommendations for legislation, to the interim committees of the Legislative Assembly related to
21 agriculture in the manner provided under ORS 192.245, and to the Department of State Lands, the
22 State Department of Agriculture and the State Department of Fish and Wildlife no later than Jan-
23 uary 1, 2025.

24 **(4)(a) Information regarding a traditionally maintained channel provided by a landowner**
25 **to the college, or collected by the college with the consent of a landowner, including records**
26 **required by a scientific taking permit issued pursuant to ORS 497.298:**

27 **(A) May not be used by the Department of State Lands to create or modify a map of es-**
28 **sential indigenous anadromous salmonid habitat, as defined in ORS 196.810; or**

29 **(B) May not be included in a database of fish habitat distribution maintained by the State**
30 **Department of Fish and Wildlife.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **(b) Information described in paragraph (a) of this subsection may be disclosed in the re-**
2 **port under subsection (3) of this section only to the extent that it is included in aggregated**
3 **data or in a manner that does not disclose the identity of the landowner or the location of**
4 **the traditionally maintained channel.**

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