



Date:	March 25, 2025
To:	Co-Chair McLain, Co-Chair Gorsek, Vice Co-Chair Starr, Vice Co-Chair Boshart-Davis, Members of the Joint Committee on Transportation
From:	Mallorie Roberts, legislative affairs director, Association of Oregon Counties
Subject:	Opposition to Senate Bill 357

Thank you for the opportunity to submit testimony in opposition to Senate Bill 357 on behalf of the Association of Oregon Counties (AOC) and the Oregon Association of County Engineers and Surveyors (OACES). AOC is a non-partisan member organization that advocates on issues that unite all county governing bodies and have an impact on county functions, governance, and budgets. OACES, an affiliate of AOC, represents Oregon’s county public works agencies and road departments across the state, covering over 60% of Oregon’s non-federal road network, over 32,000 total miles, 3,400 bridges, and 90,000 culverts in Oregon’s road system.

AOC and OACES oppose Senate Bill 357 as written, specifically the provisions that allow a port district to broadly assess dredging costs for a county owned culvert that discharges into port waters.

AOC and OACES recognize the economic benefits of port dredging and the revenue needs of ports to accomplish this work, especially smaller rural ports. However, county governments, which are already regulated to manage sediment stormwater runoff on their road systems, should not be so broadly responsible for the costs of sediment removal in port waters as proposed by SB 357.

SB 357 would be very expensive for county road departments that already struggle to meet the revenue needs to operate and maintain the county road system, which is underfunded by \$834 million per year. Article 9 of Oregon’s Constitution restricts the use of State Highway Funds revenue to only road, and road right-of-way work. If the assessments proposed under SB 357 do not comply with that constitutional restriction, counties would be required to pay these fees with their also very limited general funds, diverting those public dollars from critical county services like public safety and behavioral health.

It is unclear how broadly the assessment under SB 357 could be applied to upstream watershed culverts, or if it would apply only to culverts that directly discharge into the port waters. It also appears that SB 357’s fee authority assessment could be applied regardless of actual existing sediment discharge or mitigation efforts. SB 357 appears to make all public bodies responsible for natural sediment runoff, unrelated to the sediment generation in impervious areas or

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construction activities. Counties are already regulated to control sediment runoff under the National Pollutant Discharge Elimination System (NPDES, or the 1200 Series Construction Stormwater Permits managed by DEQ). The new SB 357 fee assessment authority would be a completely new authority and uncoordinated with existing sediment pollution control programs.

Again, counties are sympathetic to the cost of ports' dredging needs, but do not believe that it is appropriate to shift those costs to county governments as SB 357 proposes.

AOC and OACES respectfully request to be part of any ongoing conversations on SB 357.

