

**Date:** February 28, 2013

**To:** The Honorable Brian Clem, Chair  
House Land Use Committee

**Testimony by Michael Pope, Executive Director  
Greenbelt Land Trust  
on House Bill 2173**

I appreciate the opportunity to provide testimony on House Bill 2173 before the House Land Use Committee. HB 2173 changes the status of activities to create, restore, or enhance wetlands on lands zoned for exclusive farm use from an outright permitted use to a conditional use and removes liability limitations for damage, injury or death for fish and wildlife improvement projects and watershed or stream enhancement programs.

The Greenbelt Land Trust is a 501 (c) (3) non-profit land trust with a mission to conserve and protect native habitats, working lands, and lands of natural beauty which provide a connection to the natural world for residents of the mid-Willamette Valley. We are concerned about the conditional use and liability issues described in House Bill 2173 because:

- 1) Wetland habitats in the Willamette Basin have declined by nearly 98% from their pre-settlement geographic extent and remaining wetlands are of particular importance to the continued health and survival of many native plants, fish and wildlife and act as natural filters that improve water quality for humans.
- 2) We believe that changing the status of activities to create, restore or enhance wetlands to a conditional use on lands zoned for farm use will significantly impact the ability to maintain and restore remnant areas of valuable wetlands which mostly reside on lands zoned for farm use.
- 3) The high cost (\$550-1200) of a conditional use permit and lengthy public review process (60-90 days) will hinder voluntary restoration and enhancement work in these valuable habitats and place an undue hardship on landowners.
- 4) The removal of liability limits will also discourage voluntary commitments to restore and enhance wetlands that benefit wildlife and fish and provide healthy water for future generations of residents in Oregon.
- 5) Many counties in Oregon have reduced staff and working hours to address budget shortfalls and imposing a new conditional use permitting system will create additional work loads and divert staff from more pressing issues.

Thank you for your attention.



Michael Pope  
Executive Director, Greenbelt Land Trust