

HB 3382 B STAFF MEASURE SUMMARY

Senate Committee On Rules

Prepared By: Patrick Brennan

Meeting Dates: 6/16, 6/20

WHAT THE MEASURE DOES:

Specifies that deep draft navigation channel improvements are a reason that local governments may adopt an exception to land use planning goals related to estuarine resources in order to redesignate or rezone natural and conservation estuary management units, under certain circumstances. Outlines circumstances to include: mitigation of adverse impacts to ensure no net loss of estuarine resources and affected aquatic and shore habitats; project is of the location, design, and minimum extent necessary for the use; application by a public port or federally recognized Oregon Indian tribe; project within the jurisdiction of the International Port of Coos Bay; project does not include or rely upon commercial processing, importing, or exporting of fossil fuels, other than existing facilities for fuel storage and distribution; application is preceded by a report issued by applicant that identifies anticipated funding sources for the channel improvements and an estimate of the number of jobs expected to be created; and project conducted in accordance with a plan developed in consultation with tribes regarding archaeological sites and objects. Stipulates that measure does not affect rules or permitting authority of Department of State Lands, Department of Transportation, State Parks and Recreation Department, or Department of Environmental Quality. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Potential ecological impacts on Coos Bay estuary
- Potential economic impact of developing container terminal at Port of Coos Bay
- Effect of recent decisions by Land Use Board of Appeals
- Interaction with other federal and state regulations
- Role of local governments and community organizations in process
- Resilience of, and mitigation efforts for, coastal estuaries
- Discretionary vs non-discretionary land use permits

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon's system of 23 public ports plays an important role in the state's economy, providing the gateway through which numerous products produced throughout the state make their way to international markets. Nine of the state's ports are situated along the Columbia River, including the deep-water ports of Astoria, St. Helens, and Portland, all located on the Lower Columbia. The remaining 14 ports span the Pacific coast, including two additional deep water ports in Coos Bay and Newport.

Maintaining a deep water port requires periodic maintenance to ensure that a minimum depth is provided for shipping vessels. House Bill 3382 B outlines circumstances under which a local government may adopt an exception to land use planning goals related to estuarine resources for the International Port of Coos Bay. It also stipulates that the measure has no effect on rules or permitting authority of the Department of State Lands, Department of Transportation, State Parks and Recreation Department, or Department of Environmental Quality.