

HB 3382 B STAFF MEASURE SUMMARY

Carrier: Rep. Gomberg

House Committee On Rules**Action Date:** 06/01/23**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 5-0-2-0**Yeas:** 5 - Breese-Iverson, Fahey, Kropf, Nosse, Valderrama**Exc:** 2 - Scharf, Wallan**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Patrick Brennan**Meeting Dates:** 6/1**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:

- Measure has been narrowed in scope since its introduction
- Proposed container terminal at International Port of Coos Bay
- Effect of proposed amendment
- Potential impact of port projects on estuarine resources
- Relationship between estuary and economy of Coos Bay

EFFECT OF AMENDMENT:

Replaces, as entity that may apply for exception, reference to "Indian tribe, as defined in ORS 97.740" (any tribe recognized by Secretary of Interior or listed in the Klamath Termination Act, 25 U.S.C. 3564 et seq., or listed in the Western Oregon Indian Termination Act, 25 U.S.C. 3691 et seq.) with "eligible Indian tribe, as defined in ORS 285C.306" (the state's nine federally recognized Indian tribes, so long as each remains a federally recognized Indian tribe). Adds as condition that the proposed improvements not include or rely upon commercial processing, importing, or exporting of fossil fuels, other than existing fuel storage and distribution facilities.

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.

This summary has not been adopted or officially endorsed by action of the committee.

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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.