

Requested by Representative GOMBERG

**PROPOSED AMENDMENTS TO
HOUSE BILL 3382**

1 In line 2 of the printed bill, after “ports” insert “; and declaring an
2 emergency”.

3 Delete lines 4 through 30 and insert:

4 **“SECTION 1. Section 2 of this 2023 Act is added to and made a part
5 of ORS chapter 197.**

6 **“SECTION 2. (1) Deep draft navigational channel improvements are
7 a reason a local government may adopt an exception under ORS 197.732
8 (2)(c)(A) to a land use planning goal related to estuarine resources in
9 order to redesignate or rezone natural and conservation estuary man-
10 agement units, provided that the improvements are:**

11 **“(a) Carried out in a manner that includes mitigation, as defined
12 in ORS 196.800, of adverse impacts upon the affected aquatic and shore
13 areas and habitats;**

14 **“(b) Of the location, design and minimum extent necessary for the
15 use;**

16 **“(c) Applied for by:**

17 **“(A) A public port;**

18 **“(B) An Indian tribe, as defined in ORS 97.740;**

19 **“(C) An industry in the traded sector, as defined in ORS 285A.010,
20 except for an industry exporting fossil fuels;**

21 **“(D) The developer of an offshore renewable energy facility; or**

1 **“(E) An operator of fishing vessels or cruise ships; and**
2 **“(d) Within the jurisdiction of the Oregon International Port of**
3 **Coos Bay, the Port of Astoria or the Port of Newport.**

4 **“(2) As used in this section:**

5 **“(a) ‘Deep draft navigation channel improvements’ means dredging**
6 **for the purposes of:**

7 **“(A) Deepening or widening the existing federal navigation channel**
8 **as necessary to accommodate vessels that would use the proposed**
9 **water-dependent uses;**

10 **“(B) Establishing a new access channel, or modifying an existing**
11 **access channel, that is directly between the federal navigational**
12 **channel and any of the following structures identified in the applica-**
13 **tion for which the exception is adopted under this section:**

14 **“(i) Navigation support structures; or**

15 **“(ii) Docks, wharfs or similar ship berthing structures.**

16 **“(C) Establishing a turning basin necessary for the safe navigation**
17 **of vessels utilizing the federal navigation channel or access channel;**
18 **or**

19 **“(D) Enabling the construction or maintenance of necessary struc-**
20 **tural support for docks, wharfs or similar ship berthing facilities or**
21 **navigation aids.**

22 **“(b) ‘Deep draft navigation channel improvements’ does not in-**
23 **clude:**

24 **“(A) Dredge material disposal; and**

25 **“(B) Fill to create new upland areas.**

26 **“SECTION 3. Nothing in section 2 of this 2023 Act affects the rules**
27 **or permitting authority of the Department of State Lands, the De-**
28 **partment of Transportation, the State Parks and Recreation Depart-**
29 **ment or the Department of Environmental Quality.**

30 **“SECTION 4. This 2023 Act being necessary for the immediate**

1 **preservation of the public peace, health and safety, an emergency is**
2 **declared to exist, and this 2023 Act takes effect on its passage.”.**

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