

Submitter: Jan Hodder
On Behalf Of:
Committee: Joint Committee On Transportation
Measure: HB3382

March 14, 2023

To: Oregon Legislative Joint Committee on Transportation
From: Jan Hodder
Subject: TESTIMONY on HB 3382 - OPPOSITION

Co-Chairs Sen. Gorsek and Rep. McLain and Members of the Joint Committee on Transportation:

The statutes and regulations the ports are trying to exempt themselves with the language in HB 3882 have been in place for 50 years. They were adopted to assure the coordinated rational development and management of estuaries while assuring that other critical functions and values of estuaries are also responsibly managed. This bill will reopen the door to the type of unchecked, irresponsible development that was recognized as unsustainable over 50 years ago.

As a 40+year resident of Coos Bay I can attest to the importance of local, community-based decision making using the enforceable policies that are the basis of Oregon's coastal management program. These policies, and the state wide planning goals, are designed to promote responsible development, ensure the protection of natural resources, reduce risk to coastal residents, and ensure livable, resilient coastal communities. This bill would eliminate the mechanism for the public to weigh-in on any development in estuaries that the ports would want to undertake.

As one example of how this bill would affect the public's right to provide guidance and comments on a port's action one can look at a recent request to the USACE by the Port of Coos Bay to enlarge the federal navigation channel. The port is requesting an expansion of the first 8 miles of Coos Bay's federal navigation channel from the current 37ft depth to 45ft deep. This will require using blasting techniques (i.e. Dynamite) to remove considerable amounts of bedrock from the bottom of the bay. In the Port's recent mega grant application to the US Dept. of Transportation \$258,227,000 was requested for this "rock dredging" alone. Currently this action will require multiple local, state and federal permits which will ensure that the public can provide comments on whether they think this action should go forward, be amended, or should be denied. This bill would exempt the Port of Coos Bay from obtaining any permits to undertake this dredging and thus prevent any public input into this decision.

This bill also creates an unfair double standard by providing an unfair advantage to ports. For example, adjacent to Coos Bay's federal navigation channel there are

multiple private terminals and the cities of Coos Bay and North Bend also hold title to property. If this bill is good for one public entity, the ports, it is irrational to exclude other public or private entities that may have similar interests.

I urge your opposition to HB 3382 and do not allow it to move forward for further consideration.