

Submitter: Steven Miller  
On Behalf Of:  
Committee: Joint Committee On Transportation  
Measure: HB3382

My name is Steven Miller. As a long-time Coos Bay resident, business owner, and recreationist I wish to submit this testimony of sincere concern over the introduction of House Bill 3382. This bill poses an immediate fundamental threat to Oregon land-use planning, to the re-commenced revision of the Coos Bay Estuary Management Plan, to many important natural resources with their associated economic benefits, and certainly, to our state resource agencies' power to permit and regulate sustainable economic development on the Oregon coast.

Both Coos and Lincoln Counties are involved in the process of revising their estuary management plans which have helped shape conservation and development from the 1980s until today. Significant Coos County planning staff and financial resources, as well as required public participation in the revision, have been invested in this process to date. So it is extremely troubling that the Oregon International Port of Coos Bay could consider abandoning the needed CBEMP update and the important role of responsible estuary management---to seek exemption from Oregon's state and local land use laws and regulations in single-minded pursuit of its own projects and goals.

HB3382 would exempt the Ports of Astoria, St. Helens, Portland, Newport and Coos Bay from compliance with all Oregon state, and local land use laws and regulations applicable in their estuaries and nearby lands. It would allow dredging projects approved by the US Army Corps of Engineers in the listed ports, and infrastructure development, expansion and improvements on land to proceed without regard to environmental considerations. Requirements to apply for and receive permit approvals from state agencies having responsibilities for management and protection of Oregonians' shared natural resources would end.

The statutes and regulations HB 3382 would exempt these ports from, have been in place for nearly 50 years. Those were adopted to assure the coordinated and rational development and management of estuaries, while ensuring other critical functions and values of estuaries will also be responsibly managed. This bill will reopen the door to a time of unchecked, irresponsible development that was recognized as unsustainable over 50 years ago. An example would be the high likelihood ongoing programs for fish and wildlife restoration would be set back from resulting habitat impacts in estuaries affected by HB 3382.

When Oregon's Coastal Zone Management Program was initiated in the 1970's,

there was a recognition that many interests needed to be accounted for in management of Oregon's coastal estuaries, including those of port districts. It aimed to address conservation of public resources, safety from coastal natural hazards, as well as promote responsible development and maintenance activities planned by ports.

Enacting Oregon HB3382 (2023) would sweep aside Oregon law and regulatory policy, which were crafted to assure that the broad interests of all Oregonians would be considered in managing coastal resources. The immediate effect would be to produce a massive shift away from that broad responsibility to all Oregonians to favor the Port of Coos Bay, which is vigorously promoting several large industrial projects with no assured protections for the estuary and adjoining lands. In its text and ultimate effect House Bill 3382 represents a near complete abrogation of the public trust and does not deserve a vote in the Oregon House of Representatives or Oregon Senate.