



OREGON SHORES
CONSERVATION COALITION

TO: CHAIRS GORSEK AND MCLAIN, AND MEMBERS OF THE COMMITTEE

FROM: OREGON SHORES CONSERVATION COALITION

RE: HOUSE BILL 3382

The Oregon Shores Conservation Coalition strongly opposes HB 3382. This bill would essentially eliminate land use laws protecting Oregon's major estuaries. We regard it as an attempt to circumvent environmental regulation that is critical in efforts to protect estuarine habitats, species, and resources.

Estuaries are vital ecosystems that link land and sea, important sources of biological productivity that play a disproportionate role in the productivity of the sea. In protecting estuaries, we are doing our share to protect the global ocean. For the communities that surround estuaries, they are vital in many ways: supporting fisheries, maintaining water quality, attracting recreationists and tourists, buffering storms. They are valued economically, and also a key component in the sense of place.

Our land use and other environmental regulations don't prevent development; there is a good deal of port development in our estuaries as it is. But these regulations are stop signs, requiring that we survey the situation before proceeding. Often we can then proceed, perhaps with modification. But sometimes, the stop sign prevents us from going over a cliff. There are no places in Oregon where it is more important to proceed cautiously than in estuaries. And yet, HB 3382 would recklessly remove the wise caution built into our land use laws, and enable ports to barrel ahead with development without weighing the consequences. And while our concern is particularly with estuaries, the bill would also undermine protection for the Columbia and Willamette rivers as well.

Please consider these issues:

*The bill would gravely weaken the land use planning system as it applies to the coast to cater to a special interest.

*The bill would enable ports to dredge major rivers without complying with state and local land use regulations.

*The bill would not only undermine Oregon's land use system, but cripple our ability to limit federal actions that could harm our estuarine environments. Under the Coastal Zone

In Oregon, the beaches belong to the people

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Management Act (CZMA), the federal government has to exercise “federal consistency” with state laws that are part of a recognized coastal management program. If Oregon’s coastal land use planning regulations are eliminated, we lose our leverage over the federal government through the CZMA. This will definitely happen where our deepwater ports are concerned; in a worst-case scenario, it could cause our entire Coastal Management Program to lose its certification from NOAA. We should not risk our Coastal Management Program and our CZMA leverage over speculative possibilities for port development.

*Counties and cities have estuary management plans (EMPs) for these precious places. (As it happens, the EMPs for both Coos Bay and Yaquina Bay are in the midst of update processes at present.) No consideration has been given to the chaos that would be created if this bill should pass. Local jurisdictions would either have to scramble to revise comprehensive plans, or have plans that became meaningless for significant portions of their territories.

*The bill could severely damage Oregon’s land use planning system to no purpose whatever. The likelihood of development hopes such as the Port of Coos Bay’s desire to develop a container port is unknown. It would be a fiasco with grave environmental implications to abandon our land use protections for vital ecosystems on the basis of speculation.

Thank you for your consideration of these views.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip Johnson", with a long horizontal line extending to the right.

Phillip Johnson, Conservation Director
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phillip@oregonshores.org