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**TOGETHER FOR NATURE**

TO: Members, Joint Committee on Transportation

RE: Portland Audubon Strong Opposition to HB 3382

March 14, 2023

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

Portland Audubon has advocated for Oregon's wildlife and wild places for more than 100 years. Our mission is to inspire all people to love and protect birds, wildlife, and the natural environment upon which life depends.

We represent over 16,000 members across the state, in urging you to withhold support of House Bill 3382. If passed, this would allow ports to dredge our rivers and estuaries without demonstrating compliance with state or local land use law.

This effort to eviscerate Oregon's 50-plus year old system of land use regulations seems to stem from a recent ruling by the Land Use Board of Appeals (LUBA) that found serious deficiencies in the plan for dredging the Coos Bay navigation channel. Rather than redrawing the plan to comply with reasonable and long-standing regulations, out-of-state developers are now trying to dismantle this system and do whatever they please with our public land, while putting our natural ecosystems at risk.

This bill would eliminate the primary authority under the coastal management plan - Oregon's land use laws for a broad and ill-defined set of projects and would specifically remove state and local land use regulations on port projects within or adjacent to federal navigation channels on the Willamette River, Columbia River, Yaquina Bay, and Coos bay. These are some of the most ecologically important and sensitive waterways in our state. This bill would open the door to dredging and heavy industrial development on port-owned lands with less oversight and thus opening up more opportunity for negative ecological and/or human impacts.

Its potential negative implications for coastal ecosystems, urban habitats like [West Hayden Island](#), and fisheries across the state would be huge. It would weaken enforceable policies associated with the Coastal Zone Management Act (CZMA) which is designed to ensure that

development does not have unacceptable adverse impacts on Oregon's valuable coastal zone. The CZMA is landmark federal legislation that provides the basis for conserving, restoring, and responsibly developing our nation's diverse coastal communities and resources.

Land use authority and consistency requirements over federal projects could be eliminated. This is a big deal and could re-open the door to the disastrous Jordan Cove LNG terminal once again. Additionally, it would remove mitigation requirements for dumping contaminated dredging material in important habitats on islands along the Columbia River ([like West Hayden Island](#)). It could also jeopardize on-going efforts to update Oregon's estuary management plans, with direct impacts to fragile estuarine ecosystems so important for wildlife, migratory birds, as well as Oregon's economically important fisheries.

Please withhold support on HB 3382 and kill this terrible bill.

Sincerely,

Micah Meskel  
Interim Urban Conservation Director

Joe Liebezeit  
Interim Statewide Conservation Director