



Oregon

COASTAL NOTES

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Dumdi elected to lead OCZMA

The Association elected new officers for the upcoming year during its regular June meeting this month.

Elected as chair was Lane County Commissioner Ellie Dumdi with Douglas County Commissioner Doris Wadsworth as vice-chair. Commissioner Dumdi was vice-chair during the previous year and succeeds Coos County Commissioner Gordon Ross.

Nancy Leonard, Lincoln County Commissioner was elected secretary-treasurer.

Commissioner Leonard served in the capacity of secretary-treasurer for the Association since January 1991, filling the position of Norma McMillin, former commissioner and county representative to OCZMA.

Other members of the governing board are: Commissioner Jerry Dove, Tillamook County; Commissioner Gordon Ross, Coos County; Commissioner Peg Reagan, Curry County; Clatsop County (representative not named to date); Councilwoman Joanne

Dalziel, City of Garibaldi; Mayor Carlin Williams, City of Reedsport; Commissioner Doris Sheldon, Port of Garibaldi; Commissioner Wilbur Temyik, Port of Siuslaw; Jerry Moser, Umpqua Soil & Water Conservation District with Jeff Jackets, Lincoln Soil & Water Conservation District as the district's alternate.

Wetland conservation plan consultant selected

David Evans and Associates of Portland has been selected to prepare a wetland conservation plan (WCP) for the City of Rockaway Beach as a means to mediate conflicts between development expectations and wetland resource protection.

The Oregon Coastal Zone Management Association, Inc. (OCZMA) has oversight responsibility through intergovernmental agreements with the Oregon Division of State Lands and the Oregon Economic Development Department.

The OCZMA-produced request for

proposals noted that a significant portion of Rockaway Beach east of Highway 101 "consists of a series of interdunal swales having existing or developed wetland areas that includes the majority of the existing and potential commercial and residential development in the City. A conflict exists between statutory requirements for protection of wetlands and property owners reasonable expectations to develop property that has been zoned for residential and commercial use. Some of these areas have available sewer and water services. The pressure to develop has resulted in a number of illegal fills and other permit violations and the denial of permit applications. Opportunities for mitigation within the City may be limited and have not been systematically evaluated."

The 1989 Oregon legislature, in enacting Senate Bill 3, conceived that a conflict between proposed development and wetland resources can be best handled through the development of a wetlands conservation plan to provide a scientifically based inventory of wetland resources and mitigatable wetlands that is acceptable for regulatory purposes at the federal and state levels.

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Commercial fishing fee bill passes House

SB 1202 passed the House floor 39 to 7 last Thursday, June 20, with all coastal House members voting for the bill.

Ways and Means Committee member Representative Bob Shiprack (D-Beavercreek) carried the bill. He stated that this bill, in addition to raising revenue to meet cuts in the Department of Fish and Wildlife's budget, changed the rate from poundage to ad valorem (based on value). Because the change "makes us suspicious of the amount that will be raised, we have allowed the Commission to adjust the non-salmon rate upwards slightly."

Rep. Shiprack noted that failure to pass the bill would mean a loss of \$500,000 in general funds, closure of two coastal hatcheries, and cuts in state policy and marine programs. "This is," he noted, "a small start in achieving commercial parity with sports. It is the best effort of the legislature and the industry."

The two hatcheries covered by this bill are Trask and Fall Creek.

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PFLTF members meet in Newport

The first meeting of the Pacific Fisheries Legislative Task Force (PFLTF), since our firm and OCZMA joined to administer the Task Force, was held June 14 to 16, 1991 in Newport, Oregon.

The Task Force membership includes legislators from Alaska, California, Idaho, Oregon and Washington. Present at the meeting were the following West Coast legislators: Senators Fred Zharoff (Chair of Task Force) and Richard Eliason (Alaska); Representatives Doc Lucas and Harold W. Reid, Senator Ron Beitelspacher (Idaho); Representatives Walt Schroeder and Jim Whitty, Senator John Brennehan (Oregon); Representatives Bob Basich and Sim Wilson (Vice-Chair of Task Force), Senators Dick King and Jack Metcalf (Washington).

The scope of the Task Force is West Coast (the Bering Sea to Mexico) and internationally.

The membership of OCZMA will be delighted with the effectiveness of this new partnership.

The Task Force, like the OCZMA, is broad in scope: coastal land uses, transshipments of oil, fresh water quality, recreational and commercial fisheries, international fishery policies, and

national domestic funding of coastal programs.

Resolutions adopted in Newport included benefits for local economies from Pacific whiting; a demand on the federal government to act to curtail high seas driftnetting; and increased funding request for the National Marine Fisheries Service that reflects the importance of the commercial and recreational fishing industries to our states and the Nation.

It was also the consensus of the members to draft a letter asking for closer cooperation between the Oregon and Idaho fishery agencies that would improve Columbia River salmon stocks.

Senate and House members from the West Coast states called it the best conference since 1985 when the Task Force was created.

My deep appreciation goes to Georgia and Jay.

The next meeting is scheduled for Saturday, Sept. 21, in Alaska.

—**Paul Hanneman**

Executive Director

Pacific Fisheries Legislative Task Force

Governor's Coast Highway Conference scheduled

Governor Barbara Roberts will open a Highway 101 conference set for September 5-6, 1991 at the Shilo Inn in Newport. The conference is co-sponsored by the Oregon Department of Transportation and the Oregon Coastal Zone Management Association, Inc. (OCZMA).

The Pacific Coast Highway is an important element of coastal communities and many users have a vested interest in its improvements. It is a main street, throughway, industrial corridor and recreational passage. The State of Oregon has also made a commitment to focus improvements on this major north-south artery of the coast that recognizes local needs and local differences while upgrading and improving the vital transportation values of this system. The Coastal Conference is a first opportunity to accommodate local and state needs and opportunities. It is to aid in defining and creating a coastal vision for the future.

Conference topics will include: Highway 101 planning today; local and state Highway 101 needs and views; business and industry needs for Highway 101; experiences with parkways and scenic byways; coastal urban design; Highway 101 visual management and environmental issues; Oregon transportation goals; and, the Pacific Coast Highway Corridor Planning Study.

Request for qualifications (RFQ) for consulting services for the Pacific Coast Highway Corridor Planning Study have been sent by the Oregon Department of Transportation. The notice of intent states:

"The Oregon Department of Transportation, Highway Division, Planning Section, is seeking the services of a qualified consultant or consulting team to complete a corridor planning study for U.S.-101, The Pacific Coast Highway. This work is intended to interrelate land development patterns, scenic and visual qualities, environmental concerns, and traffic and roadway design character-

istics along the 350 miles of Oregon's Pacific Coast Highway.

The purpose of the Corridor Planning Study is to develop a 20-year master plan of the highway corridor with implementation strategies for its improvements. The consultant will complete a needs assessment of the highway and develop a corridor plan which identifies highway improvements and management strategies, and identifies comprehensive plan conflicts needing resolution. The study will include: multi-modal analysis, bridge assessment, highway signing system recommendations, economic development analysis, access management plan, visual resource management plan, scenic loop analysis, analysis of environmental issues, bypass reconnaissance and feasibility study, analysis of land use relationships, geo-base mapping and public involvement.

The corridor planning study will be performed through a series of work tasks which are detailed in the RFQ. The project is expected to take twelve to eighteen months to complete with an estimated cost range of \$700-800,000."

The selected consultant will participate in the conference as a recorder and as a presenter.

Wetlands plan consultant selected

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An evaluation team consisting of the representatives from the City of Rockaway Beach, Tillamook County and the Oregon Division of State Lands reviewed written proposals and interviewed two applicants before recommending David Evans and Associates. The effort is expected to be concluded by November 1991.

Senate and House Floor Actions

SJM 12

The Senate passed SJM 12, sponsored by Representative Paul Phillips (R-Tigard) and Senate President John Kitzhaber (D-Roseburg) to seek voter approval for a fuel tax of not more than 2 cents per session to be dedicated toward new State Parks. Rep. Phillips said that State Parks bring in more than \$250 million to the state each year. If voters passed this, it would allow relief of General Fund dollars to buy parks. In addition to being a matter of state pride, the measure would also be a small way to recognize the state's dramatic increase in tourism, Rep. Phillips said. The measure passed with 28 ayes.

SB 1080

The Senate concurred Tuesday, June 18, with changes made in the House to SB 1080, which would authorize local water supply districts in the Florence area to exercise powers of sanitary districts and cities to protect Clear Lake, the state's only sole-source aquifer. The measure, sponsored by Senator John Brenneman (R-Newport) has passed the House, and will now go to the Governor for signing.

DLCD budget pulled into committee

The budget for the Department of Land Conservation and Development was on the Third Reading calendar in the House on Wednesday, June 20, carried by Representative Ted Calouri (R-Beaverton). With 24 aye votes, the measure failed to pass, and Rep. Calouri changed his vote to No and served notice of reconsideration. HB 5537 was reconsidered and sent into conference committee Thursday, June 20.

Department of Agriculture budget passes

The Senate voted Monday, June 17, to concur with amendments to the budget for the Department of Agriculture, which passed the House floor June 12. The measure had previously been re-referred to Ways and Means during a third reading on the House floor in May in a dispute over the imbalance of fees in the Department's budget. Additional General Fund dollars were restored to the Department.

ODFW budget

The budget for ODFW, HB 5041, passed the House in its second attempt on Monday, June 17th. The budget still needs to be voted on by the Senate.

Streamflow Act passes Senate

SB 1163, a bill which would amend the 1987 instream water rights legislation and provide for recovery of water through conservation, passed the Senate floor on Tuesday, June 18. After passage out of the Senate Water Policy Committee, subsequent referrals to Ways and Means were rescinded by order of the Senate President. See accompanying article for complete report of floor action.

SB 1219

The bill, which would give ocean salmon trollers relief from fees this year, is still awaiting a hearing in the House Judiciary Committee. A public hearing was held on this bill Thursday, June 20. Representative Walt Schroeder (R-Gold Beach) testified and introduced an amendment to the bill requiring an emergency clause. The bill is now scheduled for a final worksession Saturday, June 22.

Senate passes Streamflow Restoration and Water Conservation Act

Senator Larry Hill (D-Springfield), Chair of the Senate Water Policy Committee, led off the floor debate Tuesday, June 18, on SB 1163.

Sen. Hill emphasized that despite enactment of the 1987 instream water right act, most streams have not been protected yet, and even if they have rights, they are junior rights, having a lower priority than prioritized out-of-stream appropriations.

SB 1163's effort at improved efficiency is not a new idea, said Sen. Hill, but current law which is not enforced. The law now allows for use without waste, although it is not enforced.

Sen. Hill emphasized the need for strong local participation in efforts to conserve water. He also said that concerns of water availability have been before this legislature in the past, and that dams which are environmentally acceptable and economically feasible remain an important part of

water management. Sen. Hill went through the measure section by section, and told the Senate that the measure carried a fiscal impact of about \$300,000.

Although the bill has not passed through the House, Sen. Hill said the bill was on the "fast track" and should go to the House for further amendments in the civil action provisions, then through Ways and Means, before a House floor vote.

Senator Eugene Timms (R-Bend) led the opposition on the floor. Sen. Timms objected to using the State Water Management Group (SWMG) as the primary administrator of the bill's provisions, including coordination of the local water basin authorities established in the bill.

Sen. Timms objected to what he saw as a "bureaucratic" mode of taking care of water resources, as opposed to having Water Resources Department do the managing.

Sen. Timms said it was wrong of the

Senate to take action on this bill, prior to its referral to Ways and Means, and made a motion to refer the bill to the appropriations committee.

Senator Wayne Fawbush (D-Hood River) spoke to Sen. Timms' referral. "I think it is important before we vote on this to stop and think about the process. It deserves to be considered by this body at large rather than have the issue side-stepped." Sen. Fawbush reminded the Senate that half of the bills coming out of his Trade and Economic Development Committee were voted on without a Ways and Means referral. Sen. Fawbush characterized the motion as a misuse of the authority of Ways and Means, using it as a "burial ground", or a way to avoid the issue.

"We owe it to the process that we continue this discussion. If you really don't like the bill — vote no — don't hide your vote.

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Ways and Means Activities

Spirit of compromise for disputed ad valorem rate

The Ways and Means Subcommittee on Natural Resources scheduled SB 1202, the commercial fishing fee bill, for a work session June 12.

At that meeting the Subcommittee decided to leave the ad valorem rate at 1.09% for all non-salmon species for one year. After that time, the Fish and Wildlife Commission may increase the rate up to 1.25%, if the lower amount does not bring in adequate revenues.

The Fish and Wildlife Commission is not required to seek approval for its decision from the interim Emergency Board, but merely report on the status of revenues and the decision they make. The measure still needs to be voted on by the House, and will then return to the Senate for concurrence.

Ocean Policy Council passes out

SB 162 passed out of Ways and Means Full Committee on Wednesday, June 12, and was voted on by the House on June 19th. The House passed the measure with 48 aye votes, 10 members were excused and Representative Carolyn Oakley (R-Albany) and Representative Lonnie Roberts (D-Portland) voted no.

The measure establishes a 23-member Ocean Policy Advisory Council in the office of the Governor, which among others includes representatives from commercial and recreational fisheries, representatives from natural resource agencies, the Director of OSU Sea Grant, ports, local government, and a conservation or environmental organization.

In addition to money already included in the budget for the Department of Land Conservation and Development for their major role in coordinating the activities of the Policy Council, the Ways and Means Transportation subcommittee appropriated money to the Department of Fish and Wildlife and the Department of Geology and Mineral Industries for the purpose of ocean resource planning activities.

—Mara Brown
Legislative Fellow

Streamflow Restoration and Conservation Act passes

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urge you to reject this effort to sidetrack this major issue," he added.

Sen. Hill spoke to the motion briefly, as did Senator Bill Bradbury (D-Bandon), Co-Chair of Ways and Means. Sen. Hill said that if the intent of the motion was to ensure a prudent fiscal analysis then the referral to Ways and Means after hearing by a House substantive committee review does that. "The motion will kill the bill. We should deal with it now." Sen. Bradbury also opposed the motion.

Senator Jim Bunn (R-McMinnville) at this point made a motion to table the bill. Sen. Bunn's motion failed, as did Sen. Timms' motion to refer the bill to Ways and Means.

Floor debate was continued. First commending the Water Policy Committee and Senator Larry Hill for the work they have put into the measure over the past several months, Senator Scott Duff (D-Adams) opposed the measure for what Sen. Duff felt was the incompleteness of the bill, and because he felt it did not address the issue of water storage.

Senator Dick Springer (D-Portland) spoke in favor of the bill. Sen. Springer said that as with any innovation local users will be slow to adopt new practices, and that this was not just an Eastern Oregon problem. "People's traditional ways of thinking have to change. They are changing," said Sen. Springer.

Sen. Hill closed the floor debate, addressing the concerns of Senators Timms and Duff. The bill's definition of "efficient use" takes into account certain things including economic factors. Also, local basin authorities are made up of local people, so that the definition of efficient practices will be a local definition. "The bill

puts local control in the hands of local people to achieve state-wide conservation of water resources," said Sen. Hill.

Refuting the claim by Sen. Timms that SWMG's role was not intended to be so broad, Sen. Hill read from the statutes, which specify that SWMG should coordinate agencies and water related plans. Sen. Hill said further that such an important issue should be at the level of the Governor.

Sen. Hill said that until the bill is adopted, we can't put a drop of water in stream. He went on to say that the fiscal impact is a critical problem, but that this effort is no more expensive than a medium sized dam.

Summarizing, Sen. Hill said: "We have a bill before us that is an opportunity to do something. If we don't do anything, we'll have more dry streams ... more threatened and endangered species with all their repercussions. We will have a lack of water, perhaps a critical shortage of water. The Sandy River is an example of why we need this. Running from crisis to crisis isn't the solution. We need a comprehensive approach. The bill is intended to have tremendous impact."

With House Water Policy Chair Representative Chuck Norris (R-Hermiston) and Representative Dave McTeague (D-Milwaukie) looking on, the Senate passed the measure with 18 "aye" votes.

The measure has been assigned to House Rules with subsequent referral to Ways and Means. Senator Larry Hill said on the floor that an amendment was intended for the section dealing with citizen suits, possibly to reduce or eliminate the major point of contention with the Oregon Farm Bureau.

—Mara Brown
Legislative Fellow

Conference on natural hazards slated for Newport

Coastal natural hazards, earthquakes, landslides, erosion, flooding—what we know about them and how we deal with the problems they present—will be the subject of a conference scheduled October 1-3, 1991, in Newport, Oregon

The title of the upcoming conference is: *Coastal Natural Hazards: Science, Engineering, and Public Policy*.

"The conference will feature in depth presentations of what we have learned about coastal natural hazards from scientific and engineering research. Then we'll look at the implications this knowledge has for protection of property along the oceanfront," said Jim Good, coastal resource specialist with the Oregon State University Extension Sea Grant Program.

An entire day of the conference will be devoted to bringing attendees up-to-date on scientific and engineering knowledge about coastal natural hazards.

Specific topics include: Pacific Northwest earthquakes; tsunami and landslide hazards; coastal processes such as erosion, sea cliff recession, and sea level variations; and, engineering alternatives for protecting shoreland and upland property. A half-day session will explore the implications of scientific and engineering findings about coastal natural hazards on public policy.

The conference is aimed at people in the private and public sectors who have financial, professional or policy-making interests in coastal property. This includes people who own, develop, evaluate or sell coastal property, such as realtors, architects, contrac-

tors, engineers, insurers, and current or potential coastal property owners.

On the public side, anyone who deals with public policy governing coastal property and those who carry out public policies should attend. This includes local and state planning officials, elected and appointed officials at all levels of government, public land managers, and concerned citizens.

The conference will be held at the Hotel Newport. There will be a charge to cover meals, refreshments and materials, but the amount is not known at this time.

Registration materials and costs are expected to be available in early July, 1991. To obtain a registration packet or more information, contact Ginny Domka, Oceanography Administration Building 104, College of Oceanography, Oregon State University, Corvallis, OR 97331-5503 (Telephone 737-3771).

The conference is sponsored by OSU Extension Sea Grant, the Oregon Department of Land Conservation and Development, the Oregon Department of Geology and Mineral Industries, the Oregon State Parks and Recreation Department, the Oregon Division of State Lands, and the Oregon Coastal Zone Management Association, Inc.

Coastal Caucus

Guy Thornburgh, Director of the Pacific States Marine Fisheries Commission (PSMFC), was the breakfast speaker Monday, June 10, for the Coastal Caucus.

Thornburgh spent the morning discussing marine mammals, and some of the activities the PSMFC coordinates with respect to marine mammals. With considerable interaction between certain mammal populations and commercial fishing activities, Thornburgh stressed that the commercial fishing industry, which has traditionally been characterized as a collection of independent businessmen, must join forces to work toward changes in the Marine Mammal Protection Act (MMPA). During 1991 and 1992, it will be important for the industry to better define its dealings with marine mammals in preparation for the reauthorization of the MMPA in 1993.

Thornburgh said that one of the ironies of the MMPA is that it mandates a knowledge of the population to determine the optimum sustainable population (OSP), but without this knowledge the population is considered depleted. The definition of OSP itself has been disputed. Although the Marine Mammal Commission recommended defining the term relative to the historic high prior to commercial fishing by man, this was not endorsed by the National Marine Fisheries Service.

The PSMFC is involved in a study on the interaction between marine mammals and commercial fisheries on the Columbia River, through the Marine Mammal Observer Program. The Coastal Caucus met for a final wrap-up on Monday, June 17.

East Pacific Rim compact

SB 500 passed the Full Ways and Means Committee Wednesday, June 12, and successfully passed the Senate floor the following Saturday.

The bill was referred to the Speaker of the House for committee assignment and then referred to Ways and Means. Having already passed through that committee one time, the bill automatically was given the "do pass" recommendation.

The bill would make Oregon a part of a five-state compact to adopt west coastwide standards for vessels transporting oil and other hazardous materials off shore. The Compact is not established until at least two states pass identical bills, and at that point will need Congressional approval.

SB 500 was voted on by the House on June 19th, and passed with 59 aye votes; Representative Lonnie Roberts (D-Portland) voting no. However, House Majority Leader Greg Walden (R-Hood River), served notice of possible reconsideration, and the House voted on June 20 to pull the bill into House Rules Committee for the purpose of adding some amendments. The proposed amendments would:

- Increase the number of states needed to ratify the Compact from one other than Oregon to two other states or three total; and
- Outline the appointment of Oregon's two representatives to the Compact.

The measure should advance through the House Rules Committee and be back for a House floor vote in the near future.

—Mara Brown Legislative Fellow

OCZMA, Inc.

The Oregon Coastal Zone Management Association, Inc. (OCZMA), is a voluntary association of coastal counties, cities, ports and soil & water conservation districts, established to provide a forum for the resolution of issues of particular concern to the local governments of the coast and the people they represent. 313 SW 2nd Street, Suite #C, P.O. Box 1033, Newport, Oregon 97365, (503) 265-8918, FAX (503) 265-5241

Association Officers:

Gordon Ross • Chairman

Coos County Commissioner

Ellie Dumdi • Vice Chair

Lane County Commissioner

Nancy Leonard • Secretary-Treasurer

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Address correction requested

