

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Hass, Olsen, Prozanski, Thomsen, Dingfelder

Nays: 0

Exc.: 0

Prepared By: Beth Patrino, Administrator

Meeting Dates: 4/5, 4/19

WHAT THE MEASURE DOES: Modifies preference right for upland adjacent landowner when current lessee is in compliance with all lease terms and conditions of submersible lands lease. Clarifies applicability of statutes to submerged, submersible lands or both. Establishes uses Department of State Lands (DSL) may authorize on submerged and submersible lands without charge. Authorizes DSL to charge for uses on state-owned submerged or submersible lands for habitat restoration projects for environmental mitigation credit or settlement or credit obtained as offset against natural resource damages liability. Requires registration of specific uses. Allows DSL to authorize by rule use of specific state-owned submerged or submersible lands without charge if minimally intrusive to public rights of navigation, fishery or recreation. Modifies provisions related to lease of state lands for kelp harvesting.

ISSUES DISCUSSED:

- Public concerns expressed during rulemaking on waterway leasing program
- Lease preference statute
- Existing 50 cubic yard statutory exemption for removal/fill permit

EFFECT OF COMMITTEE AMENDMENT: Modifies lease preference provisions and exemptions for certain structures and work on state-owned lands.

BACKGROUND: The Department of State Lands (DSL) is responsible for managing submerged and submersible lands underlying many of Oregon's rivers and streams and in the territorial sea. In carrying out management of these lands, DSL must consider constitutional and statutory requirements, State Land Board directives and the public interest of all Oregonians. Authorizations to use submerged and submersible lands that are offered by DSL include leases, licenses, easements, registrations and short-term access for such uses as marinas, floating homes, log rafts, bridges, pipelines, and fiber optic cables. Senate Bill 600 A would make changes to the statutes governing the management of state-owned submerged and submersible lands.

4/25/2011 2:47:00 PM

This summary has not been adopted or officially endorsed by action of the committee.