

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	8 - 0 - 0
<b>Yeas:</b>	Boone, Cowan, Esquivel, Johnson, Schaufler, Sprenger, Clem, Jenson
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Beth Herzog, Administrator
<b>Meeting Dates:</b>	5/9, 6/1

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**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. Authorizes DSL to authorize use without charge for rights of way for any county or city road over state-owned submerged and submersible lands established prior to November 1, 1981. 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. Authorizes DSL to adopt rule that exempts from removal/fill permit requirements removal of no more than 100 cubic yards of material from waters of state for purpose of maintaining drainage and protecting agriculture land. Authorizes DSL to apply exemption in essential indigenous anadromous salmonid habitat.

**ISSUES DISCUSSED:**

- Some right of ways have been in existence as far back as late 1800's
- Lessee in good standing who has the right to renew lease would not have to worry about being exposed to expulsion from property by adjacent upland owner
- Installation of riprap, habitat restoration projects and structures maintained by drainage district are benefit to public at large

**EFFECT OF COMMITTEE AMENDMENT:** Authorizes DSL to adopt rule that exempts from removal/fill permit requirements removal of no more than 100 cubic yards of material from waters of state for purpose of maintaining drainage and protecting agriculture land. Authorizes DSL to apply exemption in essential indigenous anadromous salmonid habitat. Authorizes DSL to authorize use without charge for right of way for any county or city road over state-owned submerged and submersible lands established prior to November 1, 1981.

**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 B would make changes to the statutes governing the management of state-owned submerged and submersible lands.

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