



Oregon

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**Testimony of
Mary Abrams, Director
Department of State Lands
on
Senate Bill 11
Senate Committee on Environment and Natural Resources
March 4, 2015**

The Department of State Lands has been asked by the Governor's Office to share our policy concerns regarding Senate Bill 11, which would exempt privately owned structures on state-owned submerged and submersible lands from leasing if they were constructed prior to January 1, 1916.

Current state statute and administrative rule provides for exemptions from leasing based on size and use, not the age of the structure. Statute allows for certain non-commercial uses to be exempt from leasing. Examples are privately owned docks under 200 square feet in area, riprap and voluntary habitat restoration work. The Department has provided further exemptions through rule. Examples include non-commercial docks and boathouses up to 2,500 square feet in area, tidegates and public boat ramps. The language in Senate Bill 11 provides for a very broad exemption to the leasing program without taking into account size or use.

The Department is willing to evaluate other types of structures and uses that may be exempted from leasing. However, we prefer to evaluate this through rulemaking, with the assistance of a Rulemaking Advisory Committee. This allows the Department to evaluate possible exemptions, as it allows for consideration of loss in public trust uses.

Thank you for the opportunity to provide testimony.