

HB 3382 -4, -7 STAFF MEASURE SUMMARY

Joint Committee On Transportation

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Meeting Dates: 3/14, 5/11, 5/16, 5/18

WHAT THE MEASURE DOES:

Authorizes the Port of Astoria, Port of Coos Bay, Port of Newport, Port of Portland, and Port of St. Helens to construct, maintain, and improve deep draft navigation channel improvements without demonstrating compliance with state or local land use law.

ISSUES DISCUSSED:

- Maintenance required to keep navigation channels in operation
- Role of ports state and local economies
- Balancing economic and environmental concerns
- Potential impact on estuaries
- Scope of measure
- Outreach to tribal governments
- Impacts of climate change
- Role of Port of Coos Bay following a major earthquake

EFFECT OF AMENDMENT:

-4 Replaces original measure. Specifies that deep draft navigational channel improvements are a reason that local governments may adopt an exception to land use planning goals related to estuarine resources in order to re-designate or rezone natural and conservation estuary management units, under certain circumstances. Outlines circumstances to include: mitigation of adverse impacts to ensure no net loss of estuarine resources and affected aquatic and shore habitats; of a location and design of minimum extent necessary for the use; applied for by a public port, tribe, traded sector industry, developer of offshore renewable energy facility, or operator of fishing vessels or cruise ships; within the jurisdiction of the International Port of Coos Bay, Port of Astoria, or Port of Newport; and conducted in accordance with a plan developed in consultation with tribes regarding archaeological sites and objects. Stipulates that measure does not affect rules or permitting authority of Department of State Lands, Department of Transportation, State Parks and Recreation Department, or Department of Environmental Quality. Declares emergency, effective on passage.

FIS: Minimal fiscal impact on measure w/the -4 amendment

RIS: No revenue impact on measure w/the -4 amendment

-7 Replaces original measure. Specifies that deep draft navigation channel improvements are a reason that local governments may adopt an exception to land use planning goals related to estuarine resources in order to re-designate or rezone natural and conservation estuary management units, under certain circumstances. Outlines circumstances to include: mitigation of adverse impacts to ensure no net loss of estuarine resources and affected aquatic and shoe habitats; of a location, design and minimum extent necessary for the use; applied for by a public port or Indian tribe; **within the jurisdiction of the International Port of Coos Bay; preceded by a report issued by applicant that identifies anticipated funding sources for the channel improvements and an estimate of the number of jobs expected to be created;** and conducted in accordance with a plan developed in consultation with tribes regarding archaeological sites and objects. Stipulates that measure does not affect rules or permitting authority of Department of State Lands, Department of Transportation, State Parks and Recreation Department, or Department of Environmental Quality. Declares emergency, effective on passage.

FIS: Minimal fiscal impact on measure w/the -7 amendment

RIS: No revenue impact on measure w/the -7 amendment

BACKGROUND:

Oregon's system of 23 public ports plays an important role in the state's economy, providing the gateway through which numerous products produced throughout the state make their way to international markets. Nine of the state's ports are situated along the Columbia River, including the deep water ports of Astoria, St. Helens and Portland, all located on the Lower Columbia. The remaining 14 ports span the Pacific coast, including two additional deep water ports in Coos Bay and Newport.

Maintaining a deep water port requires periodic maintenance to ensure that a minimum depth is provided for shipping vessels. House Bill 3382 authorizes Oregon's five deep water ports to construct, maintain, and improve deep draft navigation channels, defined as having a depth of more than 30 feet, without demonstrating compliance with, or taking an exception to, state or local land use law.