



March 14, 2023

Joint Committee on Transportation

Re: **Oppose HB 3382**

Dear Co-Chairs Gorsek and McLain, Vice-Chairs Boshart Davis and Boquist, and Members of the Committee,

Trout Unlimited (“TU”) is a non-profit organization dedicated to the conservation of coldwater fish (such as trout, salmon, and steelhead) and their habitats. TU has more than 350,000 members and supporters nationwide, including many members in Oregon. The Oregon members of TU are affiliated with our entity, the Oregon Council of Trout Unlimited (“OCTU”).

HB 3382 would authorize certain ports (specifically including those at Astoria, Coos Bay, Newport, Portland, and St. Helens) to construct, maintain, and improve deep draft navigation channel improvements without demonstrating compliance with state or local land use law.

**OCTU opposes this bill because it removes environmental protections and public process requirements for activities that could affect water quality and the health of native fish species.**

Numerous runs of trout, salmon, and steelhead pass through the ports described in HB 3382. OCTU has reviewed the informational testimony provided by ODFW, DLCDC, and DSL,<sup>1</sup> and we feel that the testimony from those natural resource experts should reasonably raise significant concerns for the Committee members. We wish to highlight the following portion of ODFW’s testimony in particular:

“Oregon Coast Coho utilize estuarine habitat which would likely be affected by passage of this bill, risking the potential for delisting and possibly undermining decades of restoration work funded by state, federal, and private interests.”<sup>2</sup>

But OCTU’s concerns extend more broadly than just how HB 3382 might harm coastal coho salmon. An example might be helpful in demonstrating our concerns: the Coos River and Millicoma River enter Coos Bay, which is one of the ports specified in this bill. According to

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<sup>1</sup> Letter from Alexis Biddle (DLCDC), Debbie Colbert (ODFW), and Chris Castelli (DSL) to the House Committee on Transportation, March 13, 2023 (available in OLIS record for HB 3382 at <https://olis.oregonlegislature.gov/liz/2023R1/Downloads/PublicTestimonyDocument/63498> ).

<sup>2</sup> *Id.*

ODFW's online database of fish habitat and distribution,<sup>3</sup> the Coos and Millicoma Rivers host runs of coho salmon, fall chinook salmon, winter steelhead, and coastal cutthroat trout. All of those species would necessarily pass through Coos Bay in migrating to and from the Pacific Ocean. Accordingly, each of those species would be subject to dredging and other port development actions that would be exempted from state and local land use laws by this bill. In this example, OCTU is concerned that state or local laws which might protect those fish in the Coos Bay watershed from certain actions would no longer serve that conservation purpose, to the detriment of native fish and those who enjoy them.

HB 3382 would roll-back important environmental stewardship laws in Oregon, and OCTU does not support it.

Thank you for this opportunity to provide comments.

Sincerely,

Mark Rogers  
Chair, Oregon Council of Trout Unlimited  
Sandy, Oregon  
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<sup>3</sup> ODFW, Fish Habitat Distribution and Barriers (available online at [https://nrimp.dfw.state.or.us/FHD\\_FPB\\_Viewer/index.html](https://nrimp.dfw.state.or.us/FHD_FPB_Viewer/index.html) ).