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HB 3382 Testimony

Tuesday, Mar 14, 2023

Dear Chairs Gorseck and McLain and Members of the Joint Transportation Committee,

My name is Ashley Audycki, and I am the South Coast Regional Coordinator for Rogue Climate. Rogue Climate organizes alongside Southern Oregon and South Coast communities most impacted by climate change, including low-income, rural, youth, and communities of color, by organizing for clean energy, sustainable jobs, and a healthy environment.

We ask the Joint Transportation Committee members to oppose HB 3382 from moving forward and support coastal communities already facing the adverse impacts of climate change.

Coastal communities are already facing the impacts of climate change, including sea level rise, ocean acidification, growing numbers of smoky and hotter days each year, and more. Giving the largest port districts a free pass on key environmental and land use regulations could create a harmful precedent to accelerate further climate impacts for coastal communities. Along the South Coast, one of the largest development proposals is the Port of Coos Bay's Pacific Intermodal Container Terminal project, which has not been evaluated through essential environmental assessments to measure the impacts on the local community. HB 3382 would exempt projects such as the Port of Coos Bay's proposal from environmental assessments.

HB 3382 would pave the way for unregulated major port development, dredging and channel modification that would substantially impact the climate mitigation benefits of estuaries, especially if exempt from state and local land use laws. Estuaries such as the Coos Bay estuary [act as carbon sinks by storing and sequestering carbon 1000 times more efficiently than forests](#). Dredging and channel modification cause irreversible impacts to eelgrass - a critical estuarine species responsible for carbon sequestration. The proposed Port of Coos Bay's channel modification project may occur where [some of the largest and healthiest eelgrass beds are located in the Coos Bay estuary](#).



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Estuaries are also an essential economic resource for Oregon, as the nursery ground for shellfish and key fish species that are the foundation of recreational and commercial fisheries. HB 3382 could cause unintentional damage to key coastal economies, including the fishing, shellfish, recreation, and tourism industries which depend on the health and productivity of the estuary.

Oregon has been known for its coastline protections through the Statewide Planning Goals, specifically Goal 16- Estuarine Resources and Goal 17- Coastal Shorelands. This year, the Department of Land Conservation and Development (DLCD) is celebrating 50 years of enhancing such goals, which may be deterred by passing HB 3382. Currently, DLCD is supporting local efforts to update Estuary Management Plans for Coos Bay and Yaquina Bay; HB 3382 would make these updates not feasible if the port districts for the largest estuaries in Oregon are exempted from any enforceable policies.

Another concern about the proposed HB 3382 is that it could negatively impact consultation with Tribal governments. Statewide Planning Goal 5 regarding “Natural Resources, Scenic and Historic Areas, and Open Spaces” and implementing land use regulations generally causes engagement with the Tribal Historic Preservation Officers (THPO) of the federally recognized Tribal governments in Oregon. Proper consultation and meaningful engagement with THPO positions and the associated Tribal governments are essential for evaluating development along estuaries and shorelines that are the ancestral homelands of several Tribal governments.

We urge the Joint Transportation Committee to oppose HB 3382 because it could set a harmful precedent by exempting port districts from the crucial environmental and land use regulations necessary for Oregon to meet its climate goals. We ask the committee to support the resiliency of coastal communities by protecting our estuaries Thank you for hearing our thoughts and concerns.

Sincerely,
Ashley Audycki
South Coast Regional Coordinator
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