



The League of Women Voters of Oregon is a 100-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

September 6, 2020

To: Dept. of Land Conservation and Development
Coastal Management Program

Email: Heather.Wade@state.or.us

Re: Draft 309 Assessment & Strategy – **Comments**

The League of Women Voters of Oregon has studied Coastal, Land Use, Water and Climate Change issues for many years and has developed positions upon which we provide the following comments to your draft report for the Oregon Coastal Management Program CZMA 309 enhancement program. We applaud the State of Oregon for its strong vision for the future of coastal communities and its preparation for the enormous challenges that face coastal resources as a result of climate change, seismic and tsunami threats, and economic challenges particularly now with consequences of the COVID-19 pandemic.

In the document's strategy planning, we agree with the overall summary goals of Resilience, Estuary Management Planning, Ocean Resources Planning and Public Access Planning articulated in the report. **We caution that significantly reduced revenues to coastal areas and state agencies due to the economic consequences of the COVID-19 pandemic have not been incorporated into this document's assessment. This is especially important regarding garnering support from local communities.**

In the following review we provide specific comments regarding selected topics of the Phase II in depth assessment for the strategy planning.

Wetlands

Managing wetlands engages a significant portion of the state and federal natural resource agencies, watershed councils and regional governments. We urge support for collective work groups that can increase engagements between the public and local governments to promote understanding of wetland systems and their watersheds.

Losses of wetlands in coastal areas are particularly pronounced and restorations are critical. The significant losses of forested tidal wetlands and shrub scrub wetlands may need more local attention. Due to competing interests in forest harvest, especially privately owned lands, these areas are of concern to Oregon's natural resource resiliency. The data are very clear and the assessment is glaring, especially the statistics regarding the proportion of forested land covers lost over the years.

The report notes that the Department of State Lands (DSL) has provided compensatory mitigation requirements using a watershed-based approach and function-based assessment and accounting methods. We caution that the appropriate mitigation and restoration approaches for complex tidal wetlands such as eelgrass beds are not well understood and, as a result, assessments of impact to these aspects of wetlands is especially difficult. We heartily endorse the

watershed-based and function-based approach to compensatory mitigation, but to execute this will require greater interactions, measurement assessment metrics, and goal setting. Although not noted in the document, we are particularly worried about changes in the federal regulations regarding non navigable streams and ephemeral wetlands. The revised definition of “waters of the United States” under the Clean Water Act provides clear exclusions for many water features that traditionally have been part of watershed assessments. It is important to recognize the legislature and Governor’s commitment to maintaining the Clean Water Act as regulated on January 1, 2017.

We agree with the document that provides three stressors of development, hydrological alteration and climate change/sea level rise as critical stressors. The effects of these stressors are also associated with cumulative effects, and, in addition to fill, the action of dredging and disrupting the hydrology of estuary environments is particularly important. We will provide additional comments regarding estuary environments in the section on special area management planning. We agree that there remains a lack of understanding by the public of mitigation best practices as well as a way to understand the cumulative effects. The work in wetlands engages a significant portion of state and federal natural resource agencies, as well as watershed councils. We urge collective work groups to engage in increasing the public and local governments’ understanding of these systems.

Coastal Hazards

Oregon agencies have made significant efforts to address coastal hazards, including the highest ranked riverine and geological hazards. The report gives medium priority to coastal storm shore erosion and sea level rise, but we caution that these effects are often met locally by individuals with lack of preparation.

The state agencies response within the Climate Change Adaptation Framework and other working groups is to be congratulated but much more work is needed to implement strategies to slow climate change. The planned guidance contained in the Resilience Land Use Planning Guide, Preparing for a Cascadia Subduction Zone Tsunami: A Land Use Guide for Oregon Coastal Communities, Preparing for Landslide Hazards: A Land Use Guide for Oregon Communities, and the updated OCMP model code for coastal hazards will be important resources for all citizens. Local communities have authority to administer and create the on-the-ground responses and development requests that are in coastal hazard zones. The effects during king tide events along the coast are receiving high interest, particularly with regard to infrastructure developments. The state should be congratulated for its efforts already accomplished and future plans to communicate coastal hazards. Community education and outreach will continue to be of need. For this reason, we support ways that federal and state partnerships could assist with continuing and ongoing education.

Cumulative and Secondary Impacts

The OCMP is based in large part on the state’s strong comprehensive land use planning laws. These laws mandate the local development of coordinated, long range comprehensive plans implemented by specific land use regulations. However, the cumulative and secondary effects of growth and development are complex, and few tools are available to understand these cumulative effects and assess mitigation measures. We agree with the Oregon assessment that these are a high priority and encourage the Office for Coastal Management to assist in any way possible to provide appropriate assistance for measuring, prioritizing, and mitigating cumulative effects.

Special Area Management Planning

These areas and assets are among those of highest priority and have complex and dynamic conditions. We believe this planning and support for DLCDC is of highest priority. We concur with the assessment and priorities that there is substantial need for additional special management planning and support for Estuary Management Plans. The DLCDC has worked to facilitate the updates for local estuary management plans, especially through NOAA funding, assistance and expertise. There are few areas as important as our estuaries, both to ecosystem function and in terms need of special management.

We concur that updating Estuary Management Plans has faced significant challenges. Planning update efforts have proven to be costly and local jurisdictions have not had resources or expertise capacity to assume the responsibility for major revisions to plans. We also note that coastal tribal input will be essential in this updating process, as there was little consultation in the development of previous planning documents. Working toward community-based solutions to protect functions of estuaries is one of the biggest challenges for future resilience.

Eelgrass communities are foundational species that provide essential fish habitat, sequester carbon and stabilize substrates. Eelgrass provides a suite of important ecosystem functions and services to estuary environments. We are concerned that local entities revising estuary management plans will need to understand the interactive nature of these environments. Alterations of shoreline and benthic systems affects the hydrology and stability of tidal and subtidal environments. These unique characteristics must be modeled for each location. In addition, the resulting hydrology must also consider consequences from ocean waters during upwelling that are increasingly lower in oxygen and pH.

LWVOR is especially concerned about the revision to the Coos Bay Estuary Management Plan, as this estuary is the largest within Oregon. However, it is also the site of a proposed LNG facility development. The LNG proposal emerged during the time of an extensive data compilation named the Partnership for Coastal Watersheds (PCW) generated with the help of NOAA funding to provide updated biological and physical data regarding the estuary function. The effort provided by the PCW was funded through the National Estuarine Research Reserve System (NERRS) Science Collaborative for 2013-2015 and 2016-2018 funding designated to support PCW projects. This resulted in an integrated assessment conducted with the assistance of the PCW steering committee, stakeholders representing economic, socio-cultural, and natural resource protection interests, and feedback from the public via an open house.

As a result of workforce limitations in Coos County, and potential conflicts during the permitting process, the estuary management plan revision has not moved forward. The state permits for this facility are not complete. In addition, legal challenges are in progress. We emphasize that science-based understanding is needed for all aspects of estuary management and all communities need to re-engage in the discussions regarding these plans. Revision may not be a simple process. We support that partners engaged in plan revisions must include the general public, community leaders, regional managers, tribes and scientists. We emphasize the need for strengthening these partnerships and developing creative ways to support and fund interdisciplinary teams and access to technical assistance.

We agree and acknowledge that the Oregon Rocky habitat policies are still in the planning phase at this time. We plan to engage with DLCDC to assist in these assessments and planning for the next few years.

Ocean Resources We agree with the assessment of significant impacts and challenges of ocean acidification, hypoxia, ocean warming; recreation and tourism; and the cumulative impacts of same. We are proud of the Oregon leadership provided in the multiparty West Coast Ocean Acidification and Hypoxia Science Panel. The report addresses some of the aspects of cumulative impacts of hypoxia that have been raised regarding important recreational and commercial fisheries.

The report provides a list of emerging concerns including aquatic vegetation die off, water quality, marine heat waves, and marine aquaculture. We note that the emerging concern of offshore wind power development is not among these. We suggest that this be included in upcoming assessments and planning.

We agree that the NOAA integrated ecosystems assessment report for the California Current provides an excellent summary of the ecosystem changes and management responses for ocean resources (including the State of Oregon).

We applaud and encourage NOAA-based funding for Coastal fellows to pursue comprehensive digital data interfaces. Sharing tools that have been developed through the integrated ecosystem assessments will be critical, and these need to be linked to estuary data sets to better understand the connections to these ecosystem services.

Public Access We agree with the assessment that major stressors include Tourism and Ocean shorelines, ecosystem disturbance and degradation throughout the entire coastal zone and encroachment.

Increasing interest in tourism and recreation in the coastal zones is the result of increased interest and promotion of the high quality of these regions. These values are important aspects of our state and maintaining and protecting the coastal region will be challenging but necessary. Emerging issues accurately indicate that climate change is of high importance. There may be increased conflicts between development and ecosystem resilience and **we stress the need to have adequate data and institutional support for comprehensive planning, communications and outreach**. As part of understanding threats and challenges of public access, we emphasize that threats from invasive species are recognized in portions of the report and throughout the summary of public outreach comments, but this threat is also highly associated with public access and may need more attention in education and outreach and management attention in each region.

Thank you for the opportunity to provide comments on this important document and we ask you to consider our input.



Rebecca Gladstone
LWVOR President



Christine Moffitt, PhD
LWVOR Coastal Portfolio

Cc: Bill Ryan, Deputy Director, Dept. of State Lands (bill.ryan@state.or.us)