

**DEPARTMENT OF STATE LANDS, SOUTH SLOUGH NATIONAL  
ESTUARINE RESERVE**

**DIVISION 10**

**PUBLIC USES OF THE SOUTH SLOUGH NATIONAL ESTUARINE  
RESEARCH RESERVE**

**142-010-0010**

**Definitions**

As used in these rules, unless the context provides otherwise:

- (1) "Advisory Group" means the group of local interested persons and persons with special expertise in fields relating to the Reserve appointed by the Commission to advise the Commission.
- (2) "Commercial" refers to an activity undertaken for economic gain, as opposed to an activity for personal use or enjoyment.
- (3) "Commission" means the Management Commission of the South Slough National Estuarine Research Reserve created by ORS 273 .554.
- (4) "Forest Greenery" means plant material gathered in the Reserve and used for decorative purposes.
- (5) "In Kind Services" means materials or services (provided to the Reserve by a group or person) whose value to the Reserve is at least equal to the fee that the Reserve would otherwise charge the group or person for use of the Reserve.
- (6) "Manager" means the Manager of the South Slough National Estuarine Research Reserve appointed by the Commission.
- (7) "Marketing and Promotion" means Reserve-sponsored events of regional or statewide significance that promote tourism or promote partnerships with local communities, other agencies, or scientific, educational or economic development organizations.
- (8) "Non-Profit Entity" means a group having a 501 (c) (3) tax-exempt status filed with the Internal Revenue Service
- (9) "OCZM grant" means the original NOAA Grant-in-Aid financial award.
- (10) "Operations Manager" is the person responsible for the Reserve's management, facilities, fiscal services and recordkeeping. In the Reserve manager's absence, the Operations Manager may exercise any of the Reserve manager's responsibilities.
- (11) "Person" means individuals, a public or private corporation, an unincorporated association, a partnership or a government entity.
- (12) "Public Use" means any use of the Reserve that is not a part of a formal Reserve educational or scientific program.
- (13) "Recreational" refers to an activity undertaken for personal enjoyment as opposed to economic gain.
- (14) "Reserve" means Sanctuary as defined in the Coastal Zone Management Act of 1972 which is the lands, within the boundary of the South Slough National Estuarine Research Reserve under the jurisdiction of the Commission, in which the State of Oregon has legal interest, including, but not limited to fee ownership,

conservation easement, and/or life estate. ORS 273 .553(1) states, "...the South Slough Estuary Sanctuary pursuant to chapter 415, Oregon Laws 1975, as the first estuarine sanctuary in the United States...", and the 1986 reauthorization of the Coastal Zone Management Act changed the name from Estuarine "Sanctuary" to National Estuarine Research Reserve. South Slough Estuarine Sanctuary is doing business as the South Slough National Estuarine Research Reserve for the purpose of day-to-day business. "Reserve" includes but is not limited to classrooms, day use areas and shelters, cabins, yurts, meeting halls, and other Reserve facilities.

(15) "Special Event" means an activity sponsored by the Reserve that provides education to Reserve visitors, or that otherwise promotes the mission of the Reserve.

(16) "Stewardship" means activities conducted to maintain and restore the integrity and natural dynamic processes of an estuarine ecosystem.

Stat. Auth.: ORS 273

Stats. Implemented: ORS 273

#### **142-010-0020**

##### **Restricted Activities**

The following public, noncommercial uses of the Reserve are permitted with restrictions, subject to applicable fees under OAR 142, Division 15 and to action taken by the Commission under rules 142-010-0025, 142-010-0030 and other appropriate governmental agency regulations:

(1) Picking of forest greenery for personal use is permitted only upon written approval by the Manager. The amount gathered should be no more than 10 pounds per day unless otherwise stated in the permit.

(2) Overnight use of the Reserve is allowed only with written permission of the Manager.

(3) Chemical fertilizers, herbicides, or pesticides will be used within the Reserve only if necessary to assure sound management of the ecosystem. Any allowed application of such chemicals shall be approved in writing by the Commission, after consultation with the Advisory Group, in accordance with best management practices so as to prevent direct application or discharge to the estuary waters. It is the intent of the Commission to preferentially utilize nonchemical management techniques of pest control. Chemicals will be utilized for pest or weed control only after it has been determined that the nature and integrity of the ecosystem is endangered by the pest or weed.

(4) Digging for artifacts is not permitted except as pursuant to ORS 273 .705 et seq. and with the written permission of the Commission.

(5) Open fires are allowed only upon approval of the Reserve Manager.

(6) Hunting is allowed only during authorized waterfowl and game hunting seasons, subject to Department of Fish and Wildlife regulations, except in specific areas where the Commission may prohibit hunting for the protection of the health, safety, and welfare of the public. Areas closed to hunting will be posted.

- (7) Hunting and Observation Blinds are allowed within the boundaries of the Reserve, but a blind must be taken down and removed from the Reserve at the end of each day.
- (8) Motorized boating is permitted except in special protection zones: areas excepted for public health, safety, and welfare, educational uses, and scientific research. Motorized boating will be at reduced speed that will limit the wake to less than a one-foot wave height in order to prevent disturbance to the tidelands and wildlife habitats.
- (9) Construction of boat launch and tie-up facilities is permitted only as necessary for health, safety, research, or education.
- (10) Oyster culture is limited to the 100 acres as provided in the OCZM grant. The Commission shall recommend appropriate action on each oyster culture application or changes to existing plats within the Reserve to the Reserve of Agriculture.
- (11) Tree removal from Reserve lands may occur only with the approval of the Commission, after consultation with the Advisory Group, and only for the following reasons:
- (a) Salvage of windthrow, dead, and dying trees;
  - (b) High risk to invasion of forest insects and diseases;
  - (c) Hazards to visiting public and scientists;
  - (d) Experimental and scientific projects;
  - (e) To maintain adequate clear space for existing powerline corridors;
  - (f) Thinning to maintain a healthy forest stand.
- (12) Firewood cutting for personal use requires a permit from the Reserve Manager.
- (13) Pets are permitted only if on a leash or under the direct control of the owner.
- (14) Recreational mineral gathering requires a permit from the Manager.
- (15) Horseback riding is permitted except in designated areas and not within any watercourse. Information about designated areas may be obtained at Reserve Headquarters.
- (16) Picnicking is permitted except in designated areas.
- (17) Recreational mushroom gathering, up to a maximum of one gallon per day, is permitted except in designated areas.
- (18) Recreational berry picking is permitted except in designated areas.
- (19) Recreational bait gathering is permitted except in designated areas subject to Oregon Reserve of Fish and Wildlife regulations.
- (20) Recreational clamming is permitted except in designated areas.
- (21) No dredging, filling or altering the natural environment except upon the approval of the proposed activities by the Commission.
- (22) Motorized off-road vehicles are prohibited except on designated county-maintained roads or driveways approved by the Commission.
- (23) Construction of roads is not allowed except by special permit issued by the Commission.
- (24) No deliberate introduction of a non-native species (or subspecies) within the Research Reserve's administrative boundaries without the prior approval of the Commission

(25) Trapping within the Reserve's administrative boundaries is prohibited, except for research or management purposes, and then only with the approval of the Manager.

(26) New or increased commercial activities which are not existing as of the creation of the Reserve in June 1974 must be approved by the Commission.

Stat. Auth.: ORS 273

Stats. Implemented: ORS 273

#### **142-010-0045**

##### **Short-Term Use of Facilities**

Overnight use of buildings and facilities is permitted upon approval by the Manager. Employee housing can be provided in a manner consistent with applicable policy governing use of state owned property by state employees (ORS 182.425 and 182.435). See OAR 142, Division 015 for applicable fees.

Stat. Auth.: ORS 273

Stats. Implemented: ORS 273

## **DIVISION 15**

### **FEES RULES**

#### **142-015-0000**

##### **Purpose**

OAR 142-015-0000 to 142-015-0050 identify the facilities, equipment and educational and technical services provided by the South Slough National Estuarine Research Reserve for which fees are required, and establish the process that will be used to establish and revise those fees.

Stat. Auth.: ORS 273.554

Stats. Implemented: ORS 273.554 (2)

#### **142-015-0010**

##### **Adoption or Revision of Fee Schedule**

(1) Subject to approval by the South Slough National Estuarine Research Reserve Management Commission, the Reserve manager shall adopt (and each even-numbered year, revise) a fee schedule for public use of the Reserve facilities, equipment and educational and technical services described in OAR 142-015-0000. The fees must promote the financial self-sufficiency of the Reserve and be based on the following criteria:

- (a) Prevailing rates for comparable facilities, equipment or services;
- (b) Day of week;
- (c) Time of day; and
- (d) Season of year;

(2) A person using any of the listed facilities, equipment or educational or technical services of the Reserve must pay rates established in OAR 142-015-0000 to 142-015-0050 unless otherwise waived or reduced according to these rules.

(3) Unless otherwise noted, fees must be paid in advance of use.

(4) Payment Methods:

- (a) A person may pay by personal check, money order, certified check, or travelers check (in U.S. funds).
- (b) The Reserve must receive payment within five calendar days after the date the person makes a reservation. If payment is not received within this time, the Reserve will cancel the reservation. Upon cancellation, the Reserve will refund all but a \$6 transaction fee.
- (c) If a check is returned to the Reserve for any reason and payment is not resolved, the Reserve will cancel the reservation. Upon cancellation, the Reserve will bill the person for a \$6 transaction fee.
- (d) Upon request, government agencies and non-profit entities may be invoiced for use of facilities, equipment or services. Reservations must be made at least 30 days prior to arrival. The Reserve will impose a \$6 transaction fee for each reservation.
- (e) Failure to pay any outstanding account balances disqualifies a person from making future reservations.

(5) The Manager or the Operations Manager may waive or reduce fees:

- (a) Upon request from state, local, or federal agencies or federally recognized Indian tribes based in the State of Oregon;
- (b) When a fee would total \$.50 or less;
- (c) When a person or group provides in-kind services or materials, as determined by the Manager or Operations Manager;
- (d) For marketing or promotional activities, (including but not limited to special events and commercial filming) that promote the use of Reserve areas and Oregon tourism; or
- (e) For traditional or cultural tribal activities in accordance with Commission policy.

Stat. Auth.: ORS 273.554

Stats. Implemented: ORS 273.554 (2)

## **Fee Categories**

### **142-015-0020**

- (1) The following public uses of Reserve facilities, equipment or services are subject to the fee established pursuant to OAR 142-015-0010:
  - (a) FACILITIES FEES – The following fees apply to the use of Reserve facilities for events not initiated by the Reserve:
    - (A) Spruce Ranch Field Housing, including yurts, camping in yard – fees recover costs of field housing, including fuel oil for heating, and all other provided utilities, plus generate a revenue stream toward creating a facilities maintenance fund.
    - (B) Interpretive Center Auditorium – fees must recover costs of building operation plus generate a revenue stream toward creating a facilities maintenance fund.
    - (C) Interpretive Center Classroom – fees must recover costs of building operation plus generate a revenue stream toward creating a facilities maintenance fund, as well as pay for maintaining and replacing supplies and artifacts.
    - (D) Staff time to open, monitor, close and secure facilities – fees must recover salary cost for the building supervisor (including overtime were required).

(E) Event Set-Up, Clean Up – fees must recover salary cost for building supervisor and laborer (including any overtime).

(F) Administrative Support, including supplies – fees must recover salary cost for staff assistance, use of photocopier, paper, telephones, easels, charts and other expendable supplies.

**(b) EDUCATIONAL AND TECHNICAL SERVICE FEES**

The following fees apply to the use of Reserve educational or technical services, regardless of whether the Reserve initiated the activity. Fees shall include any administrative, facility or equipment costs.

(A) On-site Interpretive Programs – fees must recover salary cost for educator or interpreter services, maintenance costs for facilities, and technical services costs by the Reserve and shall include administrative, facilities, and equipment costs.

(B) Off-site Interpretive Programs – fees must recover salary cost for educator or interpreter services, transportation fuel costs and technical services costs.

**(c) EQUIPMENT FEES**

(A) Use of Laboratory Equipment by non-Reserve investigators – fees must recover costs of equipment operation, plus generate a revenue stream for funds needed to repair or replace aging equipment. The amount of the fee shall be the same as the value given to equipment when equipment is used as grant match.

(B) Instructional Materials – fees must recover costs of duplication plus minimal training in uses.

(C) Vehicles, Boats, Motorized Machinery – fees must recover operating costs plus generate a revenue stream for maintenance, replacement and risk fund.

(D) Large Format Poster Plotter – fees must recover cost of supplies plus staff cost of any employee who prints student work on demand.

(E) Equipment Use at Event – fees must recover costs of equipment operation plus generate a revenue stream for repair or replacement of aging equipment.

(F) Equipment Use Off-Site – fees must recover costs of equipment operation plus generate a revenue stream for repair or replacement of aging equipment, creation of a risk fund, the cost of transport (if any) and staff time to provide basic instruction in use and check-out/in activities.

Stat. Auth.: ORS 273.554

Stats. Implemented: ORS 273.554 (2)

**142-015-0030**

**Fee Tiers**

Fees established pursuant to OAR 142-015-000 to 142-015-0050 must recognize the following four tiers to reflect the diversity of the Reserve's client base:

(1) N Schedule Clients – Public or private sector clients who have no connection to the Reserve and its mission.

(2) L Schedule Clients – Public or private sector clients who have limited connection to the Reserve and its mission.

(3) D Schedule Clients – Public or private sector clients who have a direct connection to the Reserve and its mission.

(4) E Schedule Clients – Exempt; fees can be waived at the discretion of SSNERR management for specific category of use or for certain public or private

sector entities otherwise authorized by the SSNERR Manager, including but not limited to a cooperating association that has entered into an agreement with the Reserve, such as the Friends of South Slough, or a charity, social service group or other organizations with memoranda of understanding or reciprocal use agreements, cultural share groups.

(a) Eligibility of "E" schedule clients will be established via a written application process.

(b) "E" schedule governs the use of interpretive center classroom and auditorium during regular business hours (requiring simple set-up, self clean up and self-administrative support).

Stat. Auth.: ORS 273.554

Stats. Implemented: ORS 273.554 (2)

#### **142-015-0040**

##### **Biennial Review of Fees**

(1) By January 1 of each even-numbered year, the Reserve Manager must prepare a report and recommendations on fees to be considered by the Commission at its first meeting of that year. The report shall include:

(a) A report of the revenues earned from fees during the biennium ending on June 30 of the preceding odd-numbered year;

(b) A recommendation of any changes to the fee schedule for the next biennium beginning on July 1 of the even-numbered year;

(c) A projection of the anticipated revenues over the next two-year period based on the recommended fee schedule;

(d) An evaluation of the impact of the fees on participation in Reserve events; and

(e) Costs of implementing the fee schedule.

(2) At the first regular Commission meeting of each even-numbered year, the Commission shall review the report and adopt a new fee schedule.

Stat. Auth.: ORS 273.554

Stats. Implemented: ORS 273.554 (2)

#### **142-015-0050**

##### **Addition of Fee for New Category**

In the event the Reserve is requested to allow a usage or activity not anticipated at the time the Commission approves the schedule under OAR 142-015-0040, the Manager or the Operations Manager may establish a proposed fee and submit the fee to the Commission at its next regular meeting. The fee shall be based on the costs to the Reserve in sponsoring or carrying out the activity or usage and shall take into consideration the criteria set forth in OAR 142-015-0010(1). Upon approval by the Commission the fee shall be incorporated into the fee schedule.

Stat. Auth.: ORS 273.554

Stats. Implemented: ORS 273.554 (2)

**FEE SCHEDULE – SOUTH SLOUGH RESERVE MARCH, 2008**  
**FACILITY FEE SCHEDULE N**

(public and private sector clients who have no connection to the Reserve and its mission)

<b>FACILITIES FEES</b>	
Spruce Ranch House	\$25 per night (nights 1, 2) \$50 (3 nights) \$75 per night (nights 4, 5) \$100 (nights 6, 7) Fee includes first five guests.
Spruce Ranch Yurts	Cost of Spruce Ranch House, plus per person/per day fee of \$4 for 6-10 guests, \$3 for 11-20 guests. Fee-for-service for portable toilet for 11 or more guests.
Spruce Ranch Camping	Cost of Spruce Ranch House, plus per person/per day fee of \$3 for 6-10 guests, \$2 for 11-20 guests. Fee-for-service for portable toilet for 11 or more guests.
Interpretive Center Auditorium (75 person capacity)	4 hours - \$65 8 hours - \$100 Any additional 2 hour increment - \$20
Interpretive Center Classroom (20 person capacity)	4 hours - \$50 8 hours - \$75 Any additional 2 hour increment - \$15
Building Supervisor	Classification C0322, Step 2, plus cost of Other Payroll Expense \$24 per hour Monday – Friday before 8am and after 4:30pm; \$24.50 per hour Saturday and Sunday before 8am and after 4:30pm, and when building is closed (Sundays from Labor Day through Memorial Day).
Event Set-Up, Clean-Up	Classification C0322, Step 2, plus cost of Other Payroll Expense Currently \$16 per hour during hours of operation (M-F, 8am – 4:30pm); \$24 per hour before 8am and after 4:30pm; \$16.50 per hour Saturday and Sunday during hours of operation and \$24.50 per hour Saturday and Sunday before 8am and after 4:30pm and when building is closed (Sundays from Labor Day through Memorial Day)

## FACILITY FEE SCHEDULE L

(public or private sector clients who have limited connection to the Reserve and its mission)

<b>FACILITIES FEES</b>	
Spruce Ranch House	\$25 per night (nights 1, 2) \$50 (3 nights) \$75 (nights 4, 5) \$100 (nights 6, 7) Fee includes first five guests.
Spruce Ranch Yurts	Cost of Spruce Ranch House, plus per person/per day fee of \$4 for 6-10 guests, \$3 for 11-20 guests. Fee-for-service for portable toilet for 11 or more guests.
Spruce Ranch Camping	Cost of Spruce Ranch House, plus per person/ per day fee of \$3 for 6-10 guests, \$2 for 11-20 guests. Fee-for-service for portable toilet for 11 or more guests.
Interpretive Center Auditorium (75 person capacity)	4 hours – \$65 8 hours – \$100 Any additional 2 hour increment – \$20
Interpretive Center Classroom (20 person capacity)	4 hours – \$50 8 hours – \$75 Any additional 2 hour increment – \$15
Building Supervisor	Classification C0322, Step 2, plus cost of Other Payroll Expense \$24 per hour Monday – Friday before 8am and after 4:30pm; \$24.50 per hour Saturday and Sunday before 8am and after 4:30pm, and when building is closed (Sundays from Labor Day through Memorial Day).
Event Set-Up, Clean-Up	Classification C0322, Step 2, plus cost of Other Payroll Expense Currently \$16 per hour during hours of operation (M-F, 8am – 4:30pm); \$24 per hour before 8am and after 4:30pm; \$16.50 per hour Saturday and Sunday during hours of operation and \$24.50 per hour Saturday and Sunday before 8am and after 4:30pm and when building is closed (Sundays from Labor Day through Memorial Day)

**FACILITY FEE SCHEDULE D**

(public or private sector clients who have a direct connection to the Reserve and its mission)

<b>FACILITIES FEES</b>	
Spruce Ranch House	\$12.50 per night (nights 1, 2) \$25 (3 nights) \$37.50 (nights 4, 5) \$75 (nights 6, 7) Fee includes first five guests.
Spruce Ranch Yurts	Cost of Spruce Ranch House, plus per person/per day fee of \$2 for 6-10 guests, \$1 for 11-20 guests. Fee-for-service for portable toilet for 11 or more guests.
Spruce Ranch Camping	Cost of Spruce Ranch House, plus per person/per day fee of \$2 for 6-10 guests, \$1 for 11-20 guests. Fee-for-service for portable toilet for 11 or more guests.
Interpretive Center Auditorium (75 person capacity) During hours of operation.	4 hours – no charge during regular business hours 8 hours – no charge during regular business hours Over 8 hours – \$20 per two hour increment
Interpretive Center Classroom (20 person capacity) During hours of operation.	4 hours – no charge during regular business hours 8 hours – no charge during regular business hours Over 8 hours – \$15 per two hour increment
Building Supervisor	Classification C0322, Step 2, plus cost of Other Payroll Expense \$24 per hour Monday – Friday before 8am and after 4:30pm; \$24.50 per hour Saturday and Sunday before 8am and after 4:30pm, and when building is closed (Sundays from Labor Day through Memorial Day).
Event Set-Up, Clean-Up	Classification C0322, Step 2, plus cost of Other Payroll Expense Currently \$16 per hour during hours of operation (M-F, 8am – 4:30pm); \$24 per hour before 8am and after 4:30pm; \$16.50 per hour Saturday and Sunday during hours of operation and \$24.50 per hour Saturday and Sunday before 8am and after 4:30pm and when building is closed (Sundays from Labor Day through Memorial Day)

**EQUIPMENT FEES SCHEDULE N**

(public and private sector clients who have no connection to the Reserve and its mission)

<b>EQUIPMENT FEES</b>	
Vehicles, Boats, Motorized machinery	Only to be operated by SSNERR personnel, Only for official state business Fee basis for vehicles is tied to official State approved mileage reimbursement rate, Fee basis for Boats and machinery based on comparable rental rates in Coos Bay area.
Large format poster plotter	Only to be operated by SSNERR personnel, Fees basis linked to fees charged for comparable service at local businesses.
Interpretive center slide and video projection equipment	\$40 per day Includes, DVD and VHS, player, LCD projector, Speakers, 10'x8' projection screen, Laptop with PowerPoint capabilities, Remote slide controller with laser pointer
Flip chart: easel, paper and markers	\$25.00 each (per event)
Additional Flip chart pads	\$20.00 per pad
On site use of speaker phone	\$30.00 per day
Overhead projector	\$20.00 per day

**EQUIPMENT FEES SCHEDULE L**

(public or private sector clients who have limited connection to the Reserve and its mission)

<b>EQUIPMENT FEES</b>	
Vehicles, Boats, Motorized machinery	Only to be operated by SSNERR personnel, Only for official state business Fee basis for vehicles is tied to official State approved mileage reimbursement rate, Fee basis for Boats and machinery based on comparable rental rates in Coos Bay area.
Large format poster plotter	Only to be operated with assistance of SSNERR personnel, Fees basis linked to charges for comparable service at local businesses.
Interpretive center slide and video projection equipment	\$40 per day Includes, DVD and VHS, player, LCD projector, Speakers, 10'x8' projection screen, Laptop with PowerPoint capabilities, Remote slide controller with laser pointer
Flip chart: easel, paper and markers	\$25.00 each (per event)
Additional Flip chart pads	\$20.00 per pad

On site use of speaker phone	\$30.00 per day
Overhead projector	\$20.00 per day

**EQUIPMENT SCHEDULE D**

(public or private sector clients who have a direct connection to the Reserve and its mission)

<b>EQUIPMENT FEES</b>	
Vehicles, Boats, Motorized machinery	Only if written cooperative agreement is in place. Fee basis for vehicles is tied to official State approved mileage reimbursement rate, Fee basis for Boats and machinery based on comparable rental rates in Coos Bay area.
Interpretive center audio Visual equipment and services	\$20 per day. Includes use of projection equipment, flip charts speaker phone.
Large format poster plotter	Only to be operated with assistance of SSNERR personnel, Fees basis linked to time and materials.