



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

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May 24, 2010

TO: Land Conservation and Development Commission  
FROM: Richard Whitman, Director  
SUBJECT: **Agenda Item 12, June 2-4, 2010, LCDC Meeting**

### DIRECTOR'S REPORT

#### I. INFORMATION UPDATES

##### A. PARTICIPATION IN APPEALS, AND RECENT LUBA AND APPELLATE COURT OPINIONS

ORS 197.090(2) requires the director to report to the commission on each appellate case in which the department participates, and on the position taken in each such case.

ORS 197.040(1)(c)(C) requires the Land Conservation and Development Commission (LCDC) to determine whether recent Land Use Board of Appeals (LUBA) and appellate court decisions require goal or rule amendments.

#### 1. Department participation in appeals

Between April 7, 2010, and April 30, 2010 the department received notice of 11 appeals filed with LUBA. The department filed none of these notices; however, the department has moved to intervene in one of the cases, as described below.

a. ***Rudell v. City of Bandon*** (LUBA 2010-037). The City of Bandon on May 11, 2010 requested that the department intervene in an appeal of a decision regarding the application of Goal 18 (Beaches and Dunes) to a request for construction of a single-family dwelling within a Controlled Development Zone within the City's Shoreland Overlay Zone. Both the city planning commission and city council concluded the property and proposed structure would be located on a foredune subject to overtopping and undercutting, a direct violation of both statewide planning Goal 18 and the city's comprehensive plan and zoning ordinance. The applicants have appealed the city's decision to LUBA and the city has asked DLCD to intervene in support of the city's decision. DLCD coastal staff worked closely with city staff to review the proposal and to develop findings for the city's decisions. (See Agenda Item 4)

## 2. LUBA opinions

Between April 7, 2010, and April 30, 2010, the department received copies of 11 recently-issued LUBA opinions. Of these, LUBA dismissed 6 appeals, remanded 2 decisions, affirmed 2, and transferred 1 petition to circuit court.

Two decisions concern the application or interpretation of a statewide planning goal or LCDC administrative rule:

- **Goals 5, 7, & 8 and OAR 660-023-0025(3): *Maureen Smith v. City of Salem***, LUBA No. 2009-093, decision filed April 9, 2010. LUBA affirmed the city's approval of a comprehensive plan/zoning map amendment for approximately 44.27 acres in the Liberty-Boone neighborhood plan area from Parks, Open Space and Outdoor Recreation/Public Amusement to Commercial Retail, Multi-Family Residential & Single-Family Residential, in order to change the use from a golf course to mixed-use development.
- **Goal 16: *Columbia Riverkeeper, et al v. Clatsop County***, LUBA No. 2009-100, decision filed April 12, 2010. LUBA remanded the county's approval (following a prior remand from LUBA) of comprehensive plan amendments and zone changes to develop a liquefied natural gas (LNG) facility at the former Bradwood Mill site, including a zone change from Aquatic Conservation-2 to Aquatic Development for 46 submerged acres of Clifton Channel for dredging. LUBA concluded: 1) "development activity" includes the proposed dredging of in-water areas as well as upland area land disturbed during construction, 2) the county's application of a local standard requiring that the use be carried out in a way that "protects" Goal 16 resources was in error, and 3) the county incorrectly interpreted the goal definition by approving activities that allow significant impacts to occur.

Neither of these decisions requires goal or rule amendments.

## 3. Appellate court opinions

Between April 7, 2010, and May 12, 2010, the Oregon Court of Appeals issued one opinion concerning land use issues.

- **Goal 3: *Wetherell v. Douglas County***, Ct. of Appeals No. A144101 (5/12/2010). (1) Based on the court's decisions in *Dept. of Land Conservation v. Curry County*, 132 Or App 393, 888 P2d 592 (1995), and *Riggs v. Douglas County*, 167 Or App 1, 1 P3d 1042 (2000), and after examining OAR 660-033-0020(1)(b) in light of those decisions and the context of the definition of "agricultural land" as a whole, the Court of Appeals concluded that profitability is not a consideration in determining whether the 590-acre ranch in this case is a "farm unit." (2) In determining whether the 259-acre parcel is "within" the 590-acre "farm unit," the

court agreed with LUBA's application of the test based on the court's reasoning in *Riggs*--that is, "whether the subject property is properly viewed as part of a 'farm unit,' despite the recent cessation of joint use"--to the circumstances of this case. Accordingly, as LUBA concluded, the 259-acre parcel is agricultural land under OAR 660-033-0020(1)(b) because it is "within a farm unit." Affirmed.

**4. Other decisions of interest:** None

**5. Appeal notices of interest**

Measure 37/49: None.

Others

- **Goal 10: *Friends of Yamhill County, et al v. City of Newberg***, filed on April 27, 2010: An appeal of amendments to the Newberg comprehensive plan housing element and the comprehensive plan housing and institutional land needs and supply data.

**B. GRANTS, INTERGOVERNMENTAL AGREEMENTS AND CONTRACTS**

The department has been asked by the Governor's Office to apply for and receive a grant of \$479,000 from the federal National Oceanic and Atmospheric Administration (NOAA) based on a Congressional line item appropriation to support the work of the West Coast Governors Agreement on Ocean Health (WCGAOH). The department, through the Coastal Division, will then enter into an Intergovernmental Agreement with the Pacific States Marine Fisheries Commission for it to manage the entire award through contracts or sub-awards to support the work of the various Action Teams organized under the WCGAOH. The department has notified the Legislative Fiscal Office and the agency's Budget and Management analyst, and the legislative Emergency-Board.

The department also has submitted a proposal for a supplemental Coastal Zone Management grant from NOAA for \$250,000 to develop a coastal permit tracking system that will utilize the geo-spatial data base of the Shorezone coastal imaging technology. Shorezone is a set of high resolution, low-altitude, oblique aerial digital still and video imagery taken of both ocean and estuary shores. Each image is geo-referenced in a data base that can be linked to other data about that same location, such as state agency or federal permits or local land use zoning or other management decisions, ownership, status of use, natural features, presence of Threatened or Endangered species, etc. The department hopes to make Shorezone the basis for organizing and tracking decisions that affect coastal shorelands and making that information available to the public via the Internet.

The department just signed an intergovernmental agreement with ODOT for implementation of SB 1059. That agreement outlines which agency will be carrying out each of the particular functions under the MPO planning greenhouse gas reduction legislation. The department will be hiring a number of limited duration staff to carry out its work under the agreement.

## **C. PERIODIC REVIEW WORK TASKS/PROGRAMS**

No periodic review work tasks are pending at this time. The department expects to issue an order concerning the work program for the City of The Dalles in the near future.

## **II. DEPARTMENT PROGRAM ACTIVITIES AND INITIATIVES**

### **A. COASTAL MANAGEMENT PROGRAM**

The developers of the proposed Bradwood Landing Liquefied Natural Gas (LNG) facility in Clatsop County have filed for bankruptcy. The status of the federal consistency review is somewhat unclear, however, because the receiver appears to be working to maintain pending permits and applications. The Department currently has a stay agreement with Bradwood Landing – staying the deadline for a consistency determination until September.

Paul Klarin, Marine Affairs Specialist, recently spent 10 days in Korea as part of a NOAA-state delegation to exchange information on ocean alternative energy development. The trip was funded by NOAA.

In late March, the Coastal Division Manager, Bob Bailey, nominated three Oregon coast entities for NOAA national awards. On May 15 NOAA notified the department that all three are winners: the City of Bandon and Port of Bandon, jointly, were chosen to receive a NOAA Walter B. Jones Award for Excellence in Local Government based on nearly two decades of work to redevelop the Bandon waterfront; the City of Astoria was chosen to receive a NOAA Walter B. Jones Award for Excellence in Local Government for work to develop the Columbia Riverfront Vision Plan; and the Port Orford Ocean Resources Team was chosen to receive a NOAA Excellence Award as the NGO of the Year for its work to build a community approach to sustainable ocean fisheries. (See Attachment A) Awards will be made at a ceremony in Washington, D.C. on June 10.

### **B. COMMUNITY SERVICES**

Anne Debbaut has begun work as a Portland metro area regional representative. She, Jennifer Donnelley, and Gary Fish work as a team to advise and work with metro-area local governments.

John Renz and Mark Radabaugh both are retiring as of June 1, 2010. Both have provided long service to the department and the Oregon land use program. Mark has worked most recently as a regional representative in the Bend office, where he played an important part in the review of the City of Bend's urban growth boundary expansion. John has worked in the department's Central Point office, where he has spent many days and evenings working on regional problem solving and land use issues from Roseburg to Ashland. Both will be greatly missed by the department.

## C. DIRECTOR'S OFFICE

Staff in the director's office have been working on developing legislative concepts, several ongoing rulemakings (RLUIPA, Metro reserves, and temporary workforce housing), two other policy projects external to the department (destination resorts and ancillary uses of farm land), exploring possible TDR projects, various Metro issues, a possible initiative with the Oregon University System to improve capacity for managing the statewide land use program (see more detail below), the multi-agency effort to develop a climate adaptation framework, and implementation of SB 1059.

Other activities in the director's office during April and May included:

- Week of April 12: destination resorts work group, participated on a panel at the Oregon Association of Realtors Biennial Legislative Conference, RLUIPA work group meeting, Governor's natural resources cabinet, MPAC, Metro reserves rulemaking hearing, interagency policy group on HB 2001 and SB 1059.
- Week of April 19: met with timber owner regarding TDRs, POORT meeting, ERT directors, LCDC meeting in Lincoln City.
- Week of April 26: interview with Oregon Business Magazine regarding destination resorts, agency heads meeting, interagency policy group on HB 2001 and SB 1059, AOC work group on ancillary uses on farm land, MPAC employment subcommittee and MPAC, all staff meeting with panel presentation.
- Week of May 3: Governor's agency advisors, destination resorts work group, CIP on periodic review, meeting regarding Sustainable Communities Initiative.
- Week of May 10: LOAC meeting, special LCDC meeting in Bend, Oregon APA conference, meeting with DOGAMI.
- Week of May 17: interagency policy group on HB 2001 and SB 1059, Bend UGB review team, stakeholder meeting on TDR legislative concept, meeting with Metro regarding reserves, DLCD/OUS partnership meeting, discussion with ODOT and OTC and LCDC chairs regarding greenhouse gas committee, Ballot Measures 37 and 49 Program Review event, PAPA/Periodic Review legislative concept discussion with stakeholders.

Measure 49: On May 21<sup>st</sup>, the director's office hosted an event to report on and commemorate the completion of work on Measure 37/49 claims. The event was attended by over 50 people responsible for legislative, legal and administrative efforts that resulted in the successful implementation of this important legislation. Each attendee was thanked publicly for his or her role in making this program a success. Through the hard work of the Measure 49 division, the agency has completed its assigned work ahead of schedule, on budget, and with less litigation than expected. This is truly a remarkable testament to the dedicated individuals who have worked on Measure 37/49 over the past six years.

Metro/County Decisions Coming to DLCD/LCDC for Review: Metro and the three metro-area counties are expected to approve urban and rural reserve designations in early June. Those decisions likely will be submitted to the agency in late June, followed by a process for receipt of

objections and a report by the department. We currently expect these decisions to come to the commission for review at its October meeting.

Also in early June, Metro is expected to complete its updated regional transportation system plan and submit it to the department for review. That also will trigger a period for objections. Staff have tentatively identified the commission's early December meeting as the date for commission review of the RTSP if that is necessary.

Finally, at the end of the year, Metro will adopt a capacity ordinance and/or an expansion of the Metro UGB. That decision is expected to be reviewed in the first half of 2011 by the department and the commission.

2009-2011 Budget: The management team has been working on internal budget execution and priorities for the remainder of this biennium and recently made a number of decisions on expenditures for the remaining year. The director will provide a verbal report on these decisions to the Budget and Management Subcommittee, and in connection with the BAM report to the commission.

#### **D. OPERATIONS SERVICES**

The Operations Services accounting team is preparing for year-end state financial reporting activities. The accounting team continues to work closely with the department's federal program in ensuring review of federal revenue requests and submittal of federal financial reports to the federal governmental partners. The accounting team continues its efforts in evaluating and updating its employee travel training materials. Once materials have been updated, it plans to provide training at upcoming division meetings.

The payroll staff, Operations Services Manager, and Human Resources Manager continue working with department staff in the implementation of the Mandatory Unpaid Furlough Time Off (MUFTO) processes. Payroll staff has updated employee timesheet training materials and plans to provide training at upcoming division meetings.

The Budget Officer continues working with division managers and their financial models. Division managers continue their critical roles in ensuring timely expenditure projections and recently met as a team to discuss department-wide budget needs. 2011-13 Agency Request Budget Development planning and preparation is underway. A 2011-13 Agency Request Budget document is due to the Department of Administrative Services on August 2, 2010. Additional budget development will continue through the fall and during the next legislative session.

The Information Technology unit and reception is finalizing its efforts in working with department management in the evaluation and determination of office equipment needs for the department, including updated copier leases for two regional field offices and the Salem office second floor. The Information Technology unit continues its efforts in evaluating Windows 7 and is working with the management team and the federal programs in the implementation of Windows 7 for the department.

The Operations Services Manager prepared and submitted to the Department of Administrative Services' Enterprise Security Office a required Information Security Plan. The department's Information Security Plan has been approved. Certification of the plan by DAS is anticipated in the next few weeks. The Operations Services Manager (Business Continuity Plan Coordinator) has developed a desktop test. The department management has delayed implementation of a desktop test of its Business Continuity Plan until the fall of 2010.

The department has initiated a process to improve the functionality of how it does business. This process, known as Continuous Improvement Process (CIP), is a tool that a number of other natural resource agencies have used successfully in the recent past. The tools are designed to:

- Empower staff, in a team-oriented approach, to design and implement better, smarter, faster processes advancing the mission of the department;
- Eliminate redundancies between programs and streamline processes in a relatively short timeframe;
- Create a culture of continual improvement freeing staff to develop solutions focusing on high-value work product;
- Minimize waste and save dollars through streamlined processes and procedures;
- Increase transparency;
- Enable staff to spend quality time on value added activities and eliminate non-value added activities.

The director has selected the Operations Services Manager as the primary facilitator for initiating CIP in the department. The Operation Services Manager, the Measure 49 Operations Manager, and the Department of Environmental Quality LEAN coordinator have collaborated on the department's first event. The department's first CIP event started on May 6, 2010. The participants will review the administrative periodic review processes. The next meeting is a week long event occurring on June 7-11, 2010. The week long event is called Kaizen which is Japanese for "take apart and make good." During that week, participants will review the administrative periodic review processes using a set of continuous improvement tools called LEAN.

## **E. PLANNING SERVICES**

The Oregon Water Resources Department (OWRD) is spearheading a multi-agency effort to develop a statewide Integrated Water Resources Strategy (IWRS). DLCD's Planning Services Division Manager has been representing the department in the early stages of development of the IWRS on the Agency Advisory Group. The IWRS project is the result of direction in HB 3369 (2009), which charged OWRD, in consultation with the departments of Environmental Quality and Fish and Wildlife, with development of the strategy. DLCD's involvement is through the agency group and is focused on data needs and opportunities and how land use and water planning interface.

The strategy will be a roadmap for the state to follow as it prepares to meet Oregon's water needs now and in the future for both in-stream and out-of-stream uses from surface water and groundwater. The approach will be integrated, taking into consideration water quantity, water quality and ecological needs. OWRD is in the middle of 11 scheduled open houses around the state to present the project and take feedback. Additional information is available at: [http://www.oregon.gov/OWRD/LAW/Integrated\\_Water\\_Supply\\_Strategy.shtml](http://www.oregon.gov/OWRD/LAW/Integrated_Water_Supply_Strategy.shtml).

### **III. DEPARTMENT ORGANIZATIONAL AND MANAGEMENT INFORMATION**

#### **A. NEW STAFF AND PROMOTIONS**

The Community Services Division is pleased to welcome Angela Houck as the new Plan Amendment Specialist. Angela was previously working as a temporary employee in the Community Services Division.

#### **B. DEPARTING EMPLOYEES**

After working for the department for 9 years, John Renz (Southern Oregon Regional Representative) will be retiring May 31, 2010.

After working for the department for over 14 years, Mark Radabaugh (Central Oregon Regional Representative) will be retiring May 31, 2010.

We sincerely appreciate their dedicated service to DLCD and helping Oregon communities prepare for the future. We wish them both the best.

The M49 Division is continuing their ramp down. Assignments for six Claim Writers ended April 30, 2010. Those individuals are Kris Ostrin, Bill Searles, Lee Willeman, Ed Worcester, Chris Schmoyer, and Andy Hardwick.

#### **C. RECRUITMENTS**

The Community Services Division is currently recruiting for the Southern Oregon Regional Representative and the Central Oregon Regional Representative.

### **IV. LCDC POLICY AND RULEMAKING UPDATES**

#### **A. RULEMAKING**

For a full report on the status of current rulemaking and rulemaking so far this biennium, see agenda item 9 regarding the Policy Agenda update.

Metro Urban and Rural Reserves: At its April 22 meeting, LCDC amended rules governing urban and rural reserves in the Portland metro area (OAR 660-027-0070) to clarify that, after

adoption of reserves, counties allow a narrow range of new uses that are normally allowed through a plan amendment process: inventoried Goal 5 resources, public park uses, and public facilities, and certain transportation uses within reserve areas. At LCDC's rulemaking hearing, concerns were raised regarding some additional uses or changes to regulations in reserves that can only be allowed through an exception to a statewide land use planning goal. LCDC did not agree to amend the reserves rules to authorize these additional plan/regulation changes, but did direct the department to reconvene the workgroup that developed the original rule to consider these broader issues.

The department has asked the various local governments and other organizations appointed to that previous workgroup to appoint a current representative (see Attachment B for workgroup membership). Commissioner Marilyn Worriss is serving as chair of this effort. The workgroup will hold its first meeting on May 27, from 1:30pm – 3:30pm in the Metro Building in their Council Chambers. It is anticipated that the workgroup will report to the commission at its July meeting. Meanwhile, staff will update the commission at the June 3-4 meeting as to the outcome of the meeting on May 27.

## **B. LEGISLATIVE CONCEPTS**

On April 8, the department submitted five proposed legislative concepts to DAS requesting permission to file these concepts for the 2011 legislative session. The department worked with the commission's legislative subcommittee (Chair VanLandingham and Commissioner Macpherson) in refining the draft concepts prior to filing. These concepts included:

1. Streamlining and improving the post-acknowledgement plan amendment (PAPA) processes;
2. Streamline the process for UGB amendments and urban reserves, reviewed by LCDC in the manner of periodic review;
3. Cleanup of Needed Housing Statutes;
4. Transfer of Development Rights; and
5. Climate change adaptation planning placeholder

The department has continued to work on the development of the details of these concepts subsequent to filing, through discussions with stakeholders, including:

- Discussion with AOC and LOC regarding all concepts on May 1.
- Discussion of all concepts with LOAC on May 10.
- Discussion with Department of Forestry and 1000 Friends regarding the TDR concept #4 on May 18. At least one or two additional meetings will be planned for this concept.
- Discussion of concept with Al Johnson and Barton Brierley (City of Newberg) on May 19<sup>th</sup>. At the time of this report, the department is scheduling a follow-up discussion with a broader group including Al Johnson, 1000 Friends, the City of Portland (Bob Clay and possibly other city representatives, including Barton Brierley), Jon Chandler, and Cathey

Briggs (Executive Director of the Oregon Opportunity Network, a statewide association of nonprofit housing providers).

- A discussion with an LOC representative (Glenn Klein), a county planning director (Sterling Anderson), and 1000 Friends of Oregon (Jim Just) regarding concepts 1 and 2 is scheduled for May 21. It is anticipated that at least one or two additional meetings may occur in refining these concepts.
- The department will discuss these concepts with CIAC at their next scheduled meeting.

We note that DAS recently indicated they are scheduled “to wrap things up” on the concept approval process by the week of May 24<sup>th</sup>. That would be earlier than has been the practice previously. As such, the department may report additional information at the June 3-4 commission meeting regarding concept approvals. DAS also indicates some changes to concept drafting timelines this year. It is not clear at this time how that may affect the department’s schedule in further refining the concepts prior to drafting.

**V. ATTACHMENTS**

**A. NOAA Award Nomination Letters**

**B. Metro Urban and Rural Reserves Work Group**



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## Coastal Management Program

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March 22, 2010

**To:** Patmarie Nedelka, NOAA, NOS, OCRM  
**From:** Robert Bailey, Oregon Coastal Management Program  
**Subject:** **NOAA Walter B. Jones Award: Excellence in Local Government**  
**Nominee:** **City of Astoria, Oregon**

I am pleased to nominate the City of Astoria, Oregon, for the Walter B. Jones Memorial Award for Excellence in Local Government. I do so because the City exhibited outstanding leadership and performed the hard work needed to engage the entire community in setting forth a vision for redevelopment of its riverfront on the magnificent Columbia River Estuary. This challenging assignment balanced the viewpoints and needs of many stakeholders with the constraints and opportunities presented by a variety of site conditions along nearly four-miles of riverfront. Now, with wide agreement throughout the community, the city is poised to make investments and development decisions to carry out this vision over the coming years.

The City of Astoria, the site of the earliest American settlement west of the Rocky Mountains, in the Oregon Country, is today a growing, vital community with a unique civic character and stunning physical location. Thanks to progressive land use policies and investment strategies, Astoria's riverfront and downtown have been dramatically revived over the past decade with new development and redevelopment projects such as the Maritime Museum, Liberty Theater, Hotel Elliott, Red Building, Pier 39, Cannery Pier Hotel, and new residential development. Furthermore, public access to the entirety of the riverfront was made available through the City's efforts in rail banking a former railroad line and construction of the Astoria River Trail.

While these projects transformed and revitalized Astoria's economy from a primarily industrial, resource based economy to one that balances a variety of uses, the pace of change caused concern that the community's quality of life and its waterfront treasures could be sacrificed. Key concerns related to the height, size, location, and appearance of new buildings, physical and visual access to the Columbia River, impacts to the historic nature of the riverfront, the extent of potential additional overwater development, and the need to maintain and create new open spaces within the riverfront area.

To address these issues, the City undertook a nearly two-year community-wide effort to create a comprehensive riverfront vision to ensure equitable riverfront growth by balancing development, and both public and private investment in the area with the desire to preserve Astoria's quality of life and connection to its unique history. From spring 2008 through summer 2009, hundreds of Astorians participated in steering committee meetings, stakeholder interviews and surveys, four community-wide forums, three open houses and additional community meetings. As work progressed, key elements of the Draft Astoria Riverfront Vision were displayed throughout the city and at key gathering spots on weekends, often with city staff in attendance to discuss and answer questions related to core vision principles, land use and urban design recommendations,

natural features, parks and open spaces and transportation and other public improvements. Thus, the future of Astoria's riverfront was at forefront of community discussions.

In December 2009 the City Council adopted the Vision Plan with goals for natural resource and scenic values, community character, private property rights, transportation mobility, historic preservation, and other topics. The City will now begin to implement action strategies built around five core principles:

- Promote physical and visual access to the river;
- Encourage a mix of uses that supports Astoria's "working waterfront" and the City's economy;
- Support new development that respects Astoria's historic character;
- Protect the health of the river and adjacent natural areas; and
- Enhance the River Trail.

See: <http://www.astoria.or.us/RiverfrontVisionPlan/tabid/5508/language/en-US/Default.aspx>

In conceiving of and carrying out the planning process, the City exhibited remarkable leadership and commitment to the principles of the Coastal Zone Management Act "to preserve, protect, develop, and restore the resources of the Nation's coastal zone for this and succeeding generations." The City directly addressed issues associated with redevelopment of a deteriorating urban working waterfront while taking care to preserve and restore historic, cultural, and aesthetic coastal features. The City's effort was led by Mayor Willis L. Van Dusen and the City Council and pursued with passion by the City's professional staff. The State of Oregon Coastal Management Program assisted the City with federal Coastal Zone Management funds. The Vision will be implemented through a variety of actions framed by the City's comprehensive plan and ordinances, which are part of the State of Oregon's Coastal Management Program.

Just as important as the plan itself is the fact that the entire community of Astoria is now invested in the long-term stewardship of its estuarine riverfront treasures. This awareness and understanding of the values of this outstanding coastal resource will provide city leaders with a powerful incentive to invest public resources to carry out the vision over the coming years. This is what the Coastal Zone Management Act was meant to achieve and why I am pleased to nominate the City of Astoria for Excellence in Local Government.

Nominator:

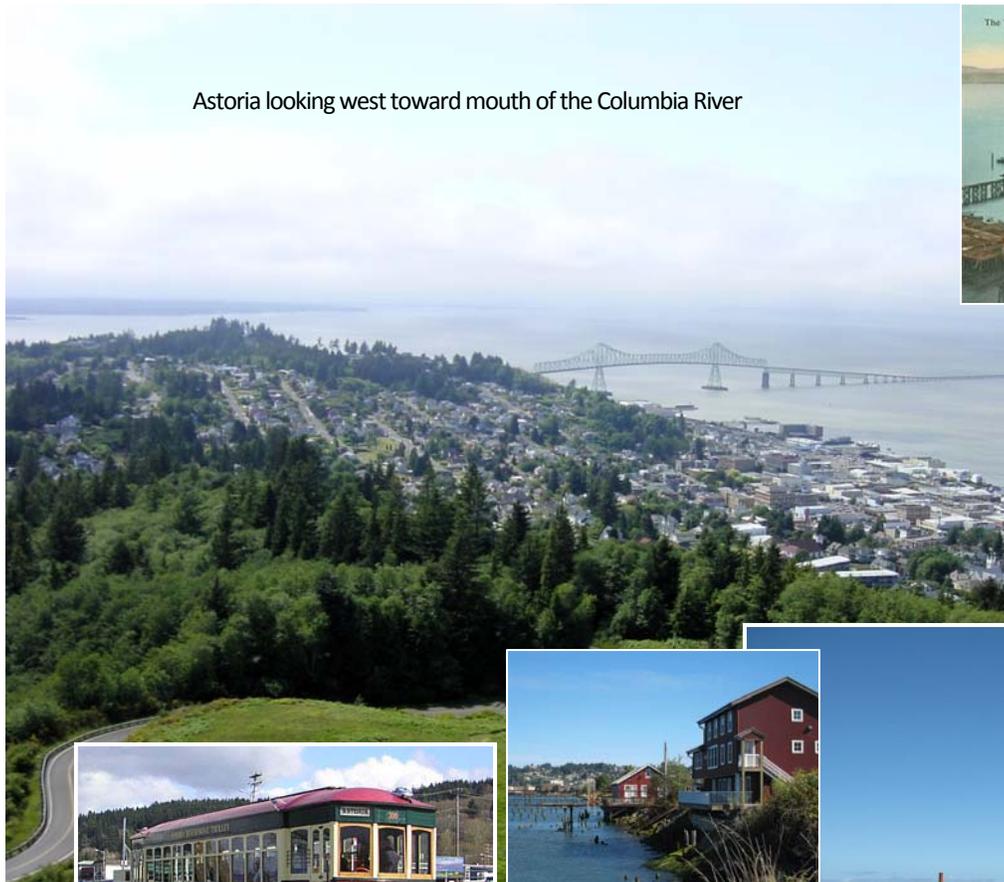
Robert J. Bailey, Manager  
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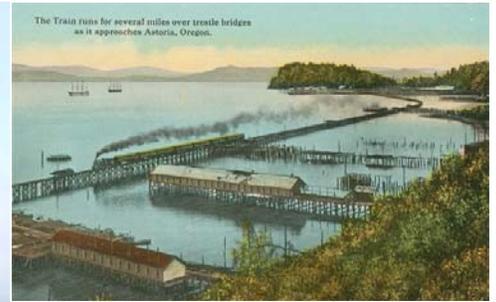
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Astoria, OR 97103

# Astoria, Oregon

The setting for the Columbia River Waterfront Vision Plan created by the City of Astoria and nominated for the Walter B. Jones Award for Excellence in Local Government

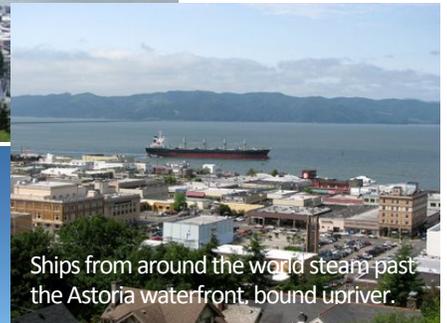


Astoria looking west toward mouth of the Columbia River



The Train runs for several miles over trestle bridges as it approaches Astoria, Oregon.

An early postcard with a view to the east; the last few miles of the railway from Portland was built on trestle.



Ships from around the world steam past the Astoria waterfront, bound upriver.



Riverfront trolley, linking east and west..



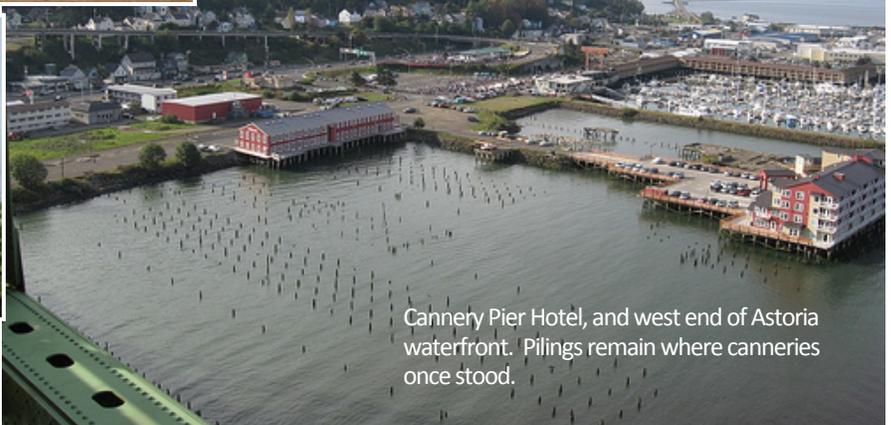
Columbia River Maritime Museum near the east end of the Astoria waterfront.



One of the first waterfront renovation projects on the Astoria waterfront, built with federal CZM 306A funds.



Cannery Pier Hotel, built to mimic the forms of fish canneries that once sat on this site



Cannery Pier Hotel, and west end of Astoria waterfront. Pilings remain where canneries once stood.



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March 22, 2010

**To:** Patmarie Nedelka, NOAA, NOS, OCRM  
**From:** Robert Bailey, Oregon Coastal Management Program  
**Subject:** **NOAA Walter B. Jones Award: Excellence in Local Government**  
**Nominee:** **City of Bandon/Port of Bandon, Oregon**

I am pleased to nominate the City of Bandon, Oregon and the Port of Bandon, jointly, for their leadership, sustained vision, and hard work to redevelop the waterfront and adjacent Old Town district on the Coquille River Estuary. Their combined efforts have turned a declining waterfront and commercial district into a special place that is a magnet for visitors, serves commercial and recreational fishermen, and provides the citizens of Bandon with a terrific community asset.

Historically, Bandon was a small dynamic town on the somewhat isolated southern Oregon coast. In its earliest days, the port was a gateway to the world; lumber mills flourished and products were exported, a robust ocean fishing fleet ported there with canneries and suppliers, up-river cargo moved through as well. In 1936 a devastating fire swept the town, burning all but two structures. The city rebuilt but by the late 1950s the life of the city had begun to move away from the waterfront along Highway 101. By the mid-1970s the world economy had changed and the port and adjacent Old Town were left behind.

The City of Bandon and the Port of Bandon faced tough choices. Continued reliance on historical uses of the port would require major investments in jetties, harbor facilities, and maintenance dredging at the Coquille River bar. Instead the Port and the City decided that the location of the town and recreational amenities offered by the port area and Old Town were keys to the community's future social and economic well-being.

Over the past two decades the Port of Bandon and the City of Bandon worked together, although not without occasional "family" tensions, to envision and complete a variety of infrastructure, recreational, commercial and environmental projects. The Port, led by former Manager Alex Linke, successfully pursued numerous federal, state and private grants (including several federal 306A grants through the Oregon Coastal Management Program). The City provided critical funding for several key projects and the Port provided local matching funds. As a result, visitors to Bandon's waterfront can now enjoy:

- A full marina for boat launching and sport fishing in the Coquille River and its estuary;
- A full service stopover dock for commercial fishing and recreational vessels;
- A popular crabbing dock, just steps away from bait, tackle and restrooms, where visitors can enjoy the thrill of crabbing without a boat;
- A year round boat ramp and roofed freshwater fish cleaning station;
- A scenic riverwalk with an innovative "meandering sidewalk," nature pathway, and observation areas of the estuary; and
- A new boardwalk over the waterfront with observation deck, glassed-in picnic shelter, and small performance amphitheater.

Many of these projects are embellished with the touch of local craftsmen and artists, creating delight to the eye and a unique sense of place.

The Port's good work on the waterfront was reinforced and extended by the City's creative use of Urban Renewal funding to upgrade public infrastructure throughout the adjacent Old Town area. Overhead utility lines were buried to eliminate visual clutter. Attractive paving, lighting and other pedestrian amenities were constructed throughout the Old Town area to create an inviting streetscape for visitors and residents. The City adopted architectural and design standards for Old Town. The City and Port are currently extending their efforts west along the riverfront, working closely with the Coquille Tribe to protect the archaeological resources of this area. These public investments have spurred improvement and expansion of local businesses and attracted new enterprises such as kayak rental facilities, restaurants, and art galleries. Talented local artists and merchants pitched in to help create a unique, diverse, and pleasurable shopping and dining experience.

This work continues. The Port is currently working with the City to add artistic touches to new sidewalks in the Old Town area to match those along the waterfront. The Port and City are working closely with the Coquille Tribe to protect valuable archaeological resources as they extend improvements westward along the waterfront and adjacent areas.

As a result of this common vision and sustained effort, this compact, walkable Old Town commercial district and delightful, user-friendly waterfront are magnets for visitors from around the world. Coupled with its stunning ocean beaches and a nearby complex of four recently-completed world-class golf courses, Bandon has become a unique city on the Oregon coast and a true travel destination, bringing economic vitality and diversity to the community.

But none of this would have happened without sustained vision, leadership, and commitment to partnership by the City of Bandon and the Port of Bandon. Their efforts, which have paid off over time, exemplify the positive role that local governments can play in meeting the goals of the Coastal Zone Management Act. That is why I am pleased to nominate the City of Bandon, Oregon, and the Port of Bandon, jointly, for the Walter B. Jones Memorial Award for Excellence in Local Government.

Nominator:

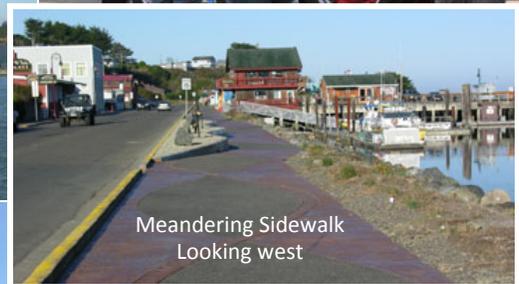
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# Bandon, Oregon

Home of the City of Bandon and the Port of Bandon, jointly nominated for the Walter B. Jones Memorial Award for Excellence in Local Government



The Port and Old Town are complementary gathering places for the community and visitors from around the world.



# Oregon

Theodore R. Kulongoski, Governor

## Coastal Management Program

Department of Land Conservation and Development  
635 Capitol Street, Suite 150  
Salem, Oregon 97301-2540  
Phone (503) 373-0050  
FAX (503) 378-6033  
[www.lcd.state.or.us/coastal/html](http://www.lcd.state.or.us/coastal/html)

March 17, 2010

**To:** Patmarie Nedelka, NOAA, NOS, OCRM  
**From:** Robert Bailey, Oregon Coastal Management Program  
**Subject:** **NOAA Excellence Awards: NGO of the Year**  
**Nominee:** **Port Orford Ocean Resource Team**

I am pleased to nominate the Port Orford Ocean Resource Team, a unique community-based non-profit organization founded and run by commercial fishermen, for a NOAA Excellence Award for NGO of the Year.

It is not a stretch to say that since its founding in 2000, POORT has fundamentally changed the way that Oregon's coastal communities, and indeed state government, think about their relationship to the marine environment. POORT is located in Port Orford, a small city just south of Cape Blanco on the southern Oregon coast and a leader on the entire Oregon coast. It promotes community engagement and uses strategic planning to ensure the long-term sustainability of the nearby Port Orford reef marine ecosystem and the social systems dependent on it. Guided by its all-fishermen Board of Directors, POORT serves as a compelling model for other coastal communities in Oregon and other states to sustain local economies, culture, and resources through active stewardship of marine and coastal resources

POORT has pursued its mission through a suite of activities and approaches:

- Creating a Stewardship Plan for 1300 square miles of ocean area and adjoining coastal watersheds. This plan emphasizes the importance of the land-sea connection to salmon and the fishermen and communities that depend on them. The Stewardship Plan sets the stage for conducting needed scientific research and engaging local watershed councils, landowners, other community organizations, schools and the public in common cause of coastal and marine stewardship.
- Engaging the larger Port Orford and south coast community in conservation activities through a community advisory board, an annual Water Festival, partnerships with watershed councils and other local conservation groups, helping students in local schools to monitor beach water quality, and reporting to the community about its activities.
- Promoting sustainable fisheries and local fishery products through value-added marketing, branding, and direct sales, including creation of a fisherman's marketing cooperative that emphasizes "fishing smarter, not harder."
- Partnering with non-governmental organizations and marine scientists in academia and state and federal agencies to conduct research to better understand the characteristics of fish stocks, the scale and complexity of marine habitats and other aspects of productivity in the Stewardship Area, as well as conduct research on methods to reduce by-catch and discard

mortality, and legal and administrative opportunities to improve community-based fishery management.

- Persuading the Oregon Department of Fish and Wildlife to enter into a unique Memorandum of Understanding for ongoing cooperative research and management

For details about POORT, please see <http://www.oceanresourceteam.org/> . For some terrific images of POORT activities, including the Water Festival and fishermen in action, please see <http://picasaweb.google.com/oceanresourceteam> .

Perhaps most significantly, POORT, on its own initiative, developed the first proposal in Oregon for a no-take Marine Reserve and adjoining Marine Protected Area. The Redfish Rocks Marine Reserve and Marine Protected Area proposed by POORT was adopted by the 2009 Oregon Legislature after POORT members drove 230 miles to the state capitol in Salem and met with 50 members of the Oregon Legislature to stress the importance of marine reserves to ocean stewardship and sustainable local fisheries. The fact that this proposal was generated and supported by fishermen and the Port Orford community inspired Oregon Governor Ted Kulongoski to make community involvement a requirement for proposals for establishing marine reserves in other areas of the Oregon coast. The Redfish Rocks Marine Reserve, 2.6 square miles, and the adjacent Marine Protected Area, about six square miles, protect important kelp beds and rocky reef habitat from the shoreline at Humbug Mountain State Park to the seaward extent of Oregon's Territorial Sea. The area, which is directly in view from the community of Port Orford, provides a visible reminder of the need for ocean stewardship.

POORT has marched to its own drummer in a beat set by fishermen who fish sustainably from small boats, live in the community, and understand what is at stake for their livelihoods and for the community if they do not take responsibility for ensuring that the marine ecosystem and the fisheries it sustains are treated with respect. In so doing, POORT and its many partners have fostered an ethic that a healthy marine environment and a healthy local economy are synonymous. Because POORT is making an effective difference in its community and the entire Oregon coast, I am pleased to nominate it for consideration as the NGO of the Year.

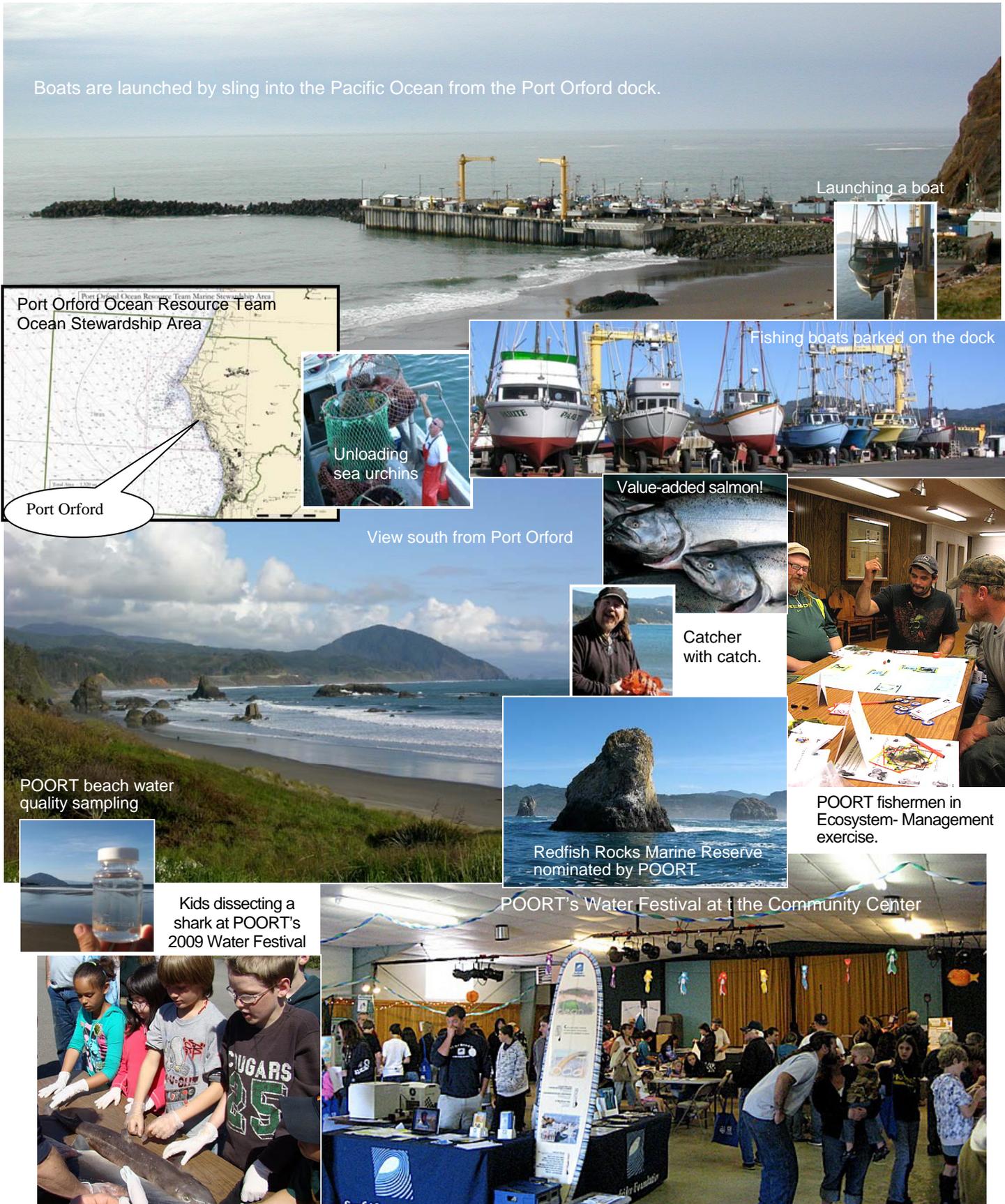
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# Port Orford, Oregon

The setting and activities of the Port Orford Ocean Resource Team, nominee for NOAA Excellence Award as NGO of the Year



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## Metro Urban and Rural Reserves Rules Advisory Committee

### 2010 Participants

<u>Name</u>	<u>Organization</u>
Marilyn Worrix	Land Conservation and Development Commission
Richard Benner	Metro
Brent Curtis	Washington County
Scott Pemble /Dan Chandler	Clackamas County
Chuck Beasley	Multnomah County
Pat Ribellia / Alwin Turiel	City of Hillsboro
Jonathan Harker / Stacy Humphrey	City of Gresham
Bob Clay	City of Portland
Bryan Brown	City of Canby
Jim Johnson	Oregon Department of Agriculture
Mary Kyle McCurdy	1000 Friends of Oregon
Steve Pfeiffer	Metro Homebuilders Association
Dave Van Asche	Washington County Farm Bureau
Kelly Ross	Commercial Real Estate Economic Coalition
Jim Labbe	Audubon Society of Portland
Ann Glaze	State Citizen Involvement Advisory Committee
Jeff Stone	Oregon Association of Nurseries

Elaine Smith	Oregon Department of Transportation Region 1
David Morman	Oregon Department of Forestry
Michael Williams	Business Oregon

**Staff**

Richard Whitman	Director
Bob Rindy	Policy Analyst
Casaria Tuttle	Rules Coordinator
Steve Shipsey	Assistant Attorney General