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Spring/Summer 2013

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2013 legislature passes agency budget, bills

On June 14, the Oregon House of Representatives passed the Department of State Lands' [2013-15 budget](#) of \$41.6 million. The budget bill has been sent to the Governor for signing. The legislature also passed all agency-sponsored bills:

- HB 2031:** Mineral Rights
- HB 2032:** Removal-Fill Mitigation Fund Pricing
- HB 2033:** University Loan Program
- SB 24:** Common School Fund Distributable Income Account



“DSL staff worked very hard this session to explain our programs to Oregon legislators,” said DSL Director Mary Abrams. “I am new at this, and thoroughly enjoyed getting to know my way around the capitol, and interacting with legislators from all regions of Oregon.”

A recap of the 2013 legislative session and its impacts on DSL programs will be posted on the [DSL website](#) in July.

2013 unclaimed property seminars scheduled

Workshops provide information on reporting, holding periods and filing

Free half-day training seminars on reporting unclaimed property are being held in various locations throughout Oregon this spring and summer. The workshops, running from June 4 through August 15, are being held in Portland, Salem, Springfield, Medford and Pendleton.

Topics include a brief overview of unclaimed property, determining when unclaimed property is reportable, actions required before

reporting, due diligence, preparing your report, record retention, and what to expect from an audit.

Pre-registration is required. Registration information, including dates and locations, is on the [DSL website](#).

Removal-Fill Program updates

Streamlining newsletter launched in May

As part of an effort to keep constituents informed about streamlining removal-fill permits, especially the 404 assumption process, the agency created a newsletter that we plan to send out several times a year.



“Our intention is to take our news to our constituents – rather than asking people to attend a meeting in Salem,” said Eric Metz, Southern Region Removal-Fill Manager. “We’re very interested in feedback and suggestions for improvement,” he added.

The [first issue](#) provided an overview of the progress and challenges related to Oregon assuming the federal 404 program from the Corps of Engineers. While this topic will be the focus of subsequent issues, other news related to streamlining will be included, Metz said.

If you’re interested in receiving the newsletter, email [Jennifer Rose](#).

Removal-Fill Guide updated

Updates and new information recently were added to the [Removal-Fill Guide](#), including:

- Aligning information with new administrative rules governing permits
- New information on General Permits
- New Territorial Sea application requirements
- New guidance on wetland mitigation

All new information is contained on Page 3 of the RFG.

Joint Permit Application being revised

Goal is to improve state-federal permit application

DSL and the Army Corps of Engineers are soliciting review and comment on a revised draft application form. Public comments on the proposed JPA and associated instructions are being taken until June 27.

After the close of the comment period, the agencies will consider all comments and publish the revised joint application form and instructions on the [DSL website](#). The form will be available as a hard copy, fillable PDF, and Word document. DSL will update Chapter 5 of the Removal-Fill Guide to reflect final changes to the form.

DSL sponsors lamprey workshop

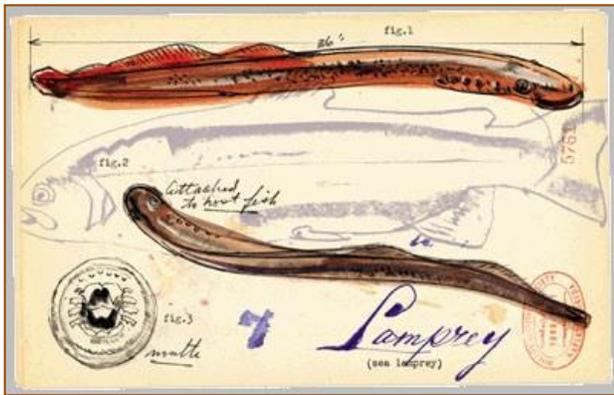
Biological, cultural significance highlighted

Lampreys have been in the Pacific Rim region for *450 million years*.....200 million years longer than the first dinosaurs of the Triassic period. These ancient fish – often confused with eels – have managed to survive relatively



unchanged through climate upheavals, natural disasters and human-imposed impacts to their environment. These boneless, parasitic fish are certainly survivors.

However, as about 60 natural resource specialists learned in a day-long workshop on June 18, lamprey populations have been decreasing throughout Oregon and the west coast at alarming rates. Where lamprey populations used to be plentiful, it's now hard to find them. Dams, pollution, dredging and non-native predators are impacting rearing habitat and spawning grounds.



While Northwest salmon species have garnered a much broader awareness of their decline, Pacific lamprey have a largely negative public image that undoubtedly has contributed to the dearth of scientific research on the species. They may not be beautiful to look at with their wide, suckering mouths and slithery bodies, but their presence for hundreds of millions of years surely means they're an important part of the natural environment.

The U.S. Fish and Wildlife Service declared the Pacific lamprey a "species of concern" that likely live in 33 of 36 counties in Oregon. In 2010, the agency released a report entitled *Best Management Practices to Minimize Adverse Effects to Pacific Lamprey*. Cooperative conservation plans are in place across the Northwest. Indian tribes are implementing actions to increase

lamprey numbers, and teaching their children about the cultural importance of the fish.

"Through this workshop we hoped to introduce some of the issues relating to lamprey, and get natural resource professionals involved in thinking about recovery efforts," said DSL's Lori Warner-Dickason. "We plan to offer another workshop to dig deeper into what's happening throughout Oregon and within tribal communities."

Workshop presenters included Jeff Jolley and Christina Luzier of the U.S. Fish and Wildlife Service; Eirik Thorsgard of the Confederated Tribes of Grande Ronde; and Kelly Coates and Rhonda Malone of the Cow Creek Band of Umpqua Indians.

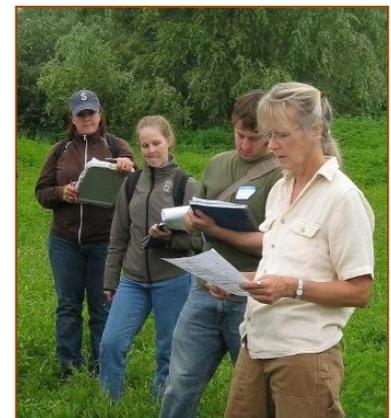
Additional information about Pacific lamprey is on the [USFWS website](#). The [June 2013 edition](#) of the Confederated Umatilla Journal features an excellent article on lamprey recovery efforts (page 36).

Wetlands Program updates

Acting manager named

Kathy Verble (right), a long-time wetlands employee, was named acting manager of the Wetlands Program after Anna Buckley's departure at the end of February.

Verble has worked in a wide variety of positions at DSL, most recently as the agency's wetlands planner and wetlands specialist.



Kathy holds an M.S. and a B.S. in soil science from Oregon State University. Throughout her

career she's conducted soils and wetlands training and worked on furthering the state's efforts in regulating and conserving Oregon's aquatic resources. Recent accomplishments include the development of the *2011 Oregon Wetland Program Plan* and the *2013 Oregon Wetland Monitoring and Assessment Strategy*.

Updating the Oregon Rapid Wetland Assessment Protocol

With funding provided by the U. S.



Environmental Protection Agency, Wetlands Program staff are continuing to update and streamline ORWAP. This

spring and summer, data is being collected at wetland reference sites across the state to assess wetland health.

Completion of the project is expected in the fall of 2014, with a 3.0 version of ORWAP, an updated manual, rationalized scoring based on data from a statistically valid sample of reference sites, upgrades to the ORWAP Explorer website, and an ORWAP "lite" version for land use planning.

New waterway rules adopted by Land Board

Chetco River: In response to a petition from the Chetco River Watershed Council in 2011, the State Land Board authorized the Department of State Lands to initiate rulemaking for imposing restrictions on recreational use of state-owned land in the Chetco River, near Brookings. The petition asserted that motorized vehicles in the river channel posed a "significant risk of harm and damage to the natural resource of the land and to the public."

In summer and fall of 2012, department staff convened a meeting of state and local agency representatives, as well as a rulemaking advisory committee (RAC) to provide input into the rulemaking. The RAC included a variety of interested parties, from watershed coordinators to local business owners. Comments received from these two groups, in addition to input received during the public comment process, helped DSL produce rules that meet the intent of the petition.

"The main goal of these new rules is to minimize potential environmental harm or safety issues caused by motorized vehicles in the river," said Senior Policy Analyst Chris Castelli. The rule retains the standard exceptions for vehicles engaged in launching and retrieving vessels, vehicles engaged in company business or responding to an emergency, and vehicles acting under a current authorization from DSL.



Remediation and Restoration on State Waterways: The Oregon Department of State Lands manages the "beds and banks" under navigable waterways by authorizing certain uses and structures on them. A number of waterway sites throughout Oregon – particularly in the Portland Harbor Superfund Site – have been designated as contaminated, and many are subject to environmental remediation and restoration activities.

As the responsible party for authorizing the use of state land, DSL worked with an advisory committee from December 2011 through September 2012 on developing administrative rules to provide guidance for remediation and restoration activities. Committee members included a wide variety of interests, including industry, conservation groups, local governments, tribes, interested citizens and recreationists, and geographic locations throughout the state.

The new rules provide a process for managing and authorizing activities relating to remediation and restoration of contaminated sites. They also establish:

- What types of authorizations should be offered to allow remedial activities (access authorizations, leases and easements).
- Compensation levels for each type of authorization, based on a formula involving value of the land, square footage and impacts of the project on public use of the waterway.

Extensive public input at committee meetings and through the public comment process helped shape the final rules. As recommended by the advisory committee, DSL will analyze administrative cost recovery in the next rule revisions.

More information on both rulemaking processes is available [online](#).

Golden schoolhouse finds its way back home

Estates staff work with State Parks on relocating historic property

When a property owner in southern Oregon died without a will and without known heirs, DSL stepped in to administer the estate. We

soon found out the acreage contained a schoolhouse built in 1897, which led us to the Heritage Programs section of the Oregon Parks and Recreation Department.

On June 17, OPRD successfully moved the historic schoolhouse back to its original location.



According to parks historian Julie Osborne, the school was returned to the Golden State Heritage Site, located four miles east of Wolf Creek. Golden – now a ghost town – was developed during the late 19th century by the Rubles family as part of their mining enterprise.

At its peak, Golden consisted of nearly 100 buildings, was home to about 200 inhabitants, and served as a hub for residents in the surrounding remote areas. With the downturn of mining in the early 1900s, many families began moving away to larger communities, and the hydraulic mining operations washed away a large section of the settlement.

The school was in use from 1897 through 1928. Having also been used on Sundays for church services, it was moved to the minister's property 0.7 miles west of town, reportedly in the 1930s.

After a thorough search, no heirs were located, and DSL auctioned the property,



which included a house and some outbuildings. If no heirs come forward within 10 years, the proceeds from the sale will become a permanent part of the [Common School Fund](#).

More information about the Estates Program is available [online](#).

Classes, activities fill South Slough summer calendar

Crabbing Around, Creature Feature, Tide of the Toddlers and *Big Canoe Trip*. If any of these titles intrigue you, head to the [South Slough website](#) to register for any of a dozen fun and educational programs offered this summer. Some activities are free, and some are just one dollar per person.

The South Slough National Estuarine Research Reserve in Charleston, near Coos Bay, offers activities for one-year-olds through retirement age, and all are designed to spark interest in the world of estuaries – where salt and fresh water mix.

Their educational curriculum, called TIDES (Teaching Investigation and Discovery through Estuary Study) focuses on exploration and discovery. “A good deal of scientific evidence suggests that estuaries were the cradle of life,” said Education Coordinator Tom Gaskill. “Our goal is to share and celebrate this environment where physical and chemical conditions most likely nurtured the first biological community on earth.”

As the description of *Under the Docks* makes clear, fun is definitely mixed with learning in the Reserve’s summer programming: “Ever wonder about the bizarre creatures residing beneath the docks in Charleston? A South Slough interpreter will lead participants in an

investigation of the mind-boggling diversity of life found underneath it all.”

More information and photos about the South Slough are also on their [Facebook page](#).



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