



Oregon

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SENT VIA E-MAIL (hhearley@lcog.org; jcallister@lcog.org; cjohnson@coosbay.org)

**RE: Comprehensive Plan Amendment 187-18-000153: Jordan Cove Energy Project
Estuary Navigation and Reliability Improvements**

To the Council:

The Oregon Department of Fish & Wildlife (ODFW) submits these comments for the hearing scheduled for August 27, 2019 to Land Use application 187-18-000153, the proposed Comprehensive Plan text amendment and Coos Bay Estuary Management Plan map changes in designation from 52-NA (52-Natural Aquatic) to DDNC-DA (Development Aquatic):

LAND USE DESIGNATION and MAP CHANGES--

The JCEP proposes to excavate an existing sandy shoal located near the end of the airport runway to serve as an eelgrass mitigation site. The proposed eelgrass mitigation site is currently zoned as 52-NA within the Coos Bay Estuary Management Plan (CBEMP). The JCEP proposes to change the current CBEMP zoning from 52-NA (Natural Aquatic) to DDNC-DA (Development Aquatic) which is a required step to allow the proposed dredging to occur.

According to the CBEMP, Natural Aquatic (NA) areas are managed for resource protection, preservation, and restoration. Designation of an area as NA places restrictions on the intensity and types of uses and activities allowed within them. In Coos Bay, Natural Aquatic areas include tidal marshes, mud-sand flats, seagrass and algae beds that, because of a combination of factors such as size, biological productivity and habitat value, play a major role in the functioning of the estuarine ecosystem. Natural Aquatic areas also include ecologically important subtidal areas.

In contrast, the CBEMP states that Development Aquatic (DA) areas are managed for navigation and other water-dependent uses, consistent with the need to minimize damage to the estuarine system. Some water-related and other uses may be allowed, as specified in each respective unit. Development Aquatic areas include areas suitable for deep or shallow-draft navigation (including shipping and access channels or turning basins), sites and mining or mineral extraction areas, and areas adjacent to developed or developable shorelines which may need to be altered to provide navigational access or create new land areas for water-dependent uses.

The proposed conversion of the area currently zoned 52-NA to DDNC-DA is inconsistent with the original intent of the NA designation, which specifically identifies areas that are managed for resource protection, preservation, and restoration. Moreover, the proposed conversion of the area currently zoned 52-NA to DDNC-DA is also inconsistent with the intent of the DA designation, which specifically identifies areas managed for navigation and other water-dependent uses, such as areas suitable for

deep or shallow-draft navigation, sites and mining or mineral extraction areas, and areas adjacent to developed or developable shorelines.

IN-WATER WORK WINDOW and HERRING SPAWNING--

Truncating the end of the In-Water Work Window from February 15 to February 1 would reduce the potential for dredge impacts and siltation to the herring spawn/egg masses which are typically deposited about mid-February in Coos Bay. In Oregon, the herring spawning season typically occurs from mid-February to mid-March, and they deposit their transparent adhesive egg masses in shallow water and estuaries on eelgrass, seaweed, and other benthic structures. Following spawning, the eggs hatch after about 2 weeks, and the small transparent larvae develop in the water column for a period of about 3 months until they complete metamorphosis and take on the final shape and form of adults.

Populations of Pacific herring are preyed upon by a wide variety of fish, birds and marine mammals in the Coos estuary where they contribute to the overall health of the estuary and support local fishery resources. Many species of fishes rely on Pacific herring as a significant component of their diet, including salmon, halibut and a wide array of groundfish. These fish support substantial commercial fisheries and popular recreational fisheries in Oregon estuaries and the nearshore Pacific Ocean. In addition, herring spawn (benthic egg masses) and their planktonic larvae also provide a highly abundant seasonally available food source for seabirds and various species of fish present in estuaries, including juvenile salmon and several species of groundfish.

In Oregon, Pacific herring are identified as an Oregon Nearshore Strategy species. The Oregon Nearshore Strategy is a strategic document that establishes priorities for ODFW's nearshore marine resources as part of the Oregon Conservation Strategy. Nearshore Strategy species are key species in greatest need of management attention.

IMPACTS OF DREDGING ON FISH AND WILDLIFE RESOURCES IN THE COOS BAY ESTUARY--

ODFW recommends the City of Coos Bay consider the impacts of the proposed Navigational Reliability Improvements on fish, wildlife, and habitat resources in the Coos Bay estuary. The State of Oregon provided comments to the Federal Energy Regulatory Commission's Draft Environmental Impact Statement for the Jordan Cove Energy Project and Pacific Connector Gas Pipeline (Docket # CP17-494-000 and CP17-495-000; July 3, 2019). Please refer to ODFW's review of the impacts of dredging on estuarine habitats and communities, and impacts to eelgrass (pp. 68-72 in State of Oregon Comments, attached to this letter).

Respectfully Submitted,



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Cc:

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