

## HEARLEY Henry O

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**From:** Christine Moffitt <ChristineMoffitt@outlook.com>  
**Sent:** March 21, 2019 5:06 PM  
**To:** CALLISTER Jacob (LCOG); HEARLEY Henry O  
**Subject:** comments regarding JCE Project comprehensive plan amendment  
**Attachments:** Moffitt Comments to Coos Bay Zoning.pdf

See my attached comments that I will present at tonight's hearing.

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## Coos Bay City Zoning

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RE: Jordan Cove Application - The Jordan Cove Energy Project L.P. has applied to the City for a Comprehensive Plan Map Amendment to the Coos Bay Estuary Management Plan to 1) change the designation of approximately 3.3 acres from 52-NA to DDNC-DA; 2) change text in the Comprehensive Plan to take a reasons exception to statewide planning goal 16 to authorize the proposed map amendment; 3) an Estuarine and Coastal Shoreline Uses and Activities Permit for “New and Maintenance Dredging” in the DDNC-DA Estuarine Zone; and 4) an Estuarine and Coastal Shoreline Uses and Activities Permit to allow an accessory temporary dredge transport pipeline in the 52-NA, 53-CA, 54-DA and 55-CA Estuarine Zones.

Dear Planning and Zoning Committee:

I stand today to provide compelling reasons why the comment period and discussion of this proposal should be extended to allow for additional and active public and community participation. I implore you to increase the dialog with concerned citizen so we can have the opportunity to explore the interrelated nature of this proposed change to the city’s portion of the zoning decisions regarding the Coos Bay Estuary Management Plan in combination with those proposed for other jurisdictions, specifically Coos County and City of North Bend.

The Oregon Coastal Management Program is a watershed-based approach for management. Authorized by the Coastal Zone Management Act of 1972, the program provides the basis for protecting, restoring, and responsibly developing our nation's diverse coastal communities and resources. It requires that there will be conformance and consistency in the comprehensive plans of cities and counties. In the event existing plans are in conflict then the Land Conservation and Development Commission expects the affected government units to take steps to resolve the issues.

I provide in the following a summary of why these proposed changes in estuary zoning and use here today should not be approved and considered as a single element divorced from the impact of the other proposed navigation reliability improvements and other items that are part of the greater project seeking re-zoning or conditional estuary zone approvals.

The development of the estuary management plan for the Coos Bay Estuary and associated zoning decisions was accomplished in an interactive basis, and considered the elements of conservation and wise use, recognizing that the functions of estuaries are highly connected aquatic systems. Any changes in the CBE Management plan zoning should be addressed to consider the aquatic system in its entirety. The City of Coos Bay should not ignore the processes that are occurring within other jurisdictions when considering impacts to a highly integrated estuary system. Accepting a piecemeal approach to this application for a specific variance in the Coos Bay estuary without regard to the proposed changes put forth to the county, and North Bend does not provide any wholistic assessment of impact or resulting condition.

The Statewide Planning Goal 16 regarding Estuarine Resources is written “To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.”

A major area of impact considered today includes proposed dredging and associated disruption of 3.3 acres zoned Natural Aquatic. In addition proposed pipeline placement over a larger extent.

As far as estuary natural function, the Natural Aquatic category has highest natural resource value. This area of concern, 52-NA is surrounded by important eelgrass habitat. Of the habitats in estuarine systems, the eelgrass habitat is among the most limited and valued and most difficult to restore. The proposed dredge and pipeline impact area are surrounded by deep subtidal, and eelgrass habitats. Eelgrass beds have an important role in the life cycles of fish, invertebrates and wildlife species. Because eelgrass is a rooted plant, it performs a vital function of stabilizing coastal sediments, preventing erosion. The eelgrass community provides direct and indirect food and cover for many marine species. Moreover at this important site in the bay across from the airport runway, the proposed removal of sediments will change the slopes and the process of dredging will destroy any biota and infauna in that habitat.

*The only rationale for this change in zoning is to provide for additional opportunities of ship access during rough weather to and from the proposed LNG berth.*

Although the requirement to evaluate a project in its entirety is not specifically in your procedures when this 1984 management plan was developed, I can attest that no one had any idea of the extent of this kind of development, the tools used, and magnitude of such a project did not exist. Moreover, in 1984, the need for increasing resilience in coastal communities from the challenges of climate change and sea level rise were not considered. Because of this limited view in 1984, we should not be precluded from considering these compelling issues today. The lack of forethought 35 years ago should not affect the decisions we make today. We do not need to make any decisions blindly without data either. Just a year ago, area scientists, community members and managers rolled out a comprehensive examination and compilation of the aquatic

and community resources, they updated information with current conditions, and made these available as digital resources. The objective of the work by the *Partnership for Coastal Watersheds* was to use this information to revise the CBEMP. After 35 years, changes to the needs and the restoration of function in areas of the bay previously degraded by industry were recognized. In 1984, the planners did not foresee the growth of tourism and reduction of heavy industry, and the growing opportunities for sustainable development. The management and considerations of habitat needs for ESA listed fish and wildlife species were not considered.

However, at every turn in the past year when we ask about this comprehensive plan revision to consider the new uses and restored functions in decision making, we get push back. I believe it is because of the elephant in this room today: that of this large external and foreign owned economic force pressuring and lobbying all our leaders for the Jordan Cove Energy Project.

I urge you to consider a more comprehensive evaluation of the proposed actions.

Thank you.

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