



# Oregon

Theodore R. Kulongoski, Governor

## Department of State Lands

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### State Land Board

Theodore R. Kulongoski

Governor

Bill Bradbury

Secretary of State

Randall Edwards

State Treasurer

The State Land Board met in regular session on February 13, 2007, in the Land Board Room of the State Lands Building, 775 Summer Street NE, Salem, Oregon 97301-1279.

#### Present were:

Theodore R. Kulongoski

Governor

Bill Bradbury

Secretary of State

Randall Edwards

State Treasurer

#### Land Board Assistants

Michael Carrier

Governor's Office

Elon Hasson

Secretary of State's Office

Inga Deckert

State Treasurer's Office

#### Staff

Louise Solliday

Jeff Kroft

Julie Curtis

Steve Purchase

Nancy Pustis

Lorna Hobbs

Jeannette Holman

#### DOJ

Richard Whitman

The Governor called the meeting to order at 10:47 a.m. The topics discussed and the results of those discussions are listed as follows. Further details of the discussions may be obtained in the transcript of the meeting available at the Department of State Lands, 775 Summer Street NE, Suite 100, Salem, Oregon 97301-1279, (phone: 503-378-3805, ext. 224).

#### Consent Agenda

1. a. Request for approval of minutes of the December 12, 2006 State Land Board meeting.
- b. Request for approval of a perpetual easement for PacifiCorp for an electrical power line in Multnomah County.

- c. **Request by the Oregon Department of Transportation to acquire a permanent bridge easement over state-owned submerged and submersible lands of the Snake River located in Malheur County.**
- d. **Request for authority to initiate rulemaking to amend the rules governing the use of state-owned property.**

Director Solliday reviewed the items on the Consent Agenda.

Treasurer Edwards moved the Consent Agenda be approved. Secretary of State Bradbury seconded. The consent agenda was approved.

### **Action Agenda**

2. **Request for final approval of a direct sale of a 1.26-acre parcel of filled lands in Columbia County.**

Director Solliday introduced the agenda item. Treasurer Edwards ask for an explanation regarding the valuation of the property. Steve Purchase, Assistant Director for the Land Management Division, explained that the amount was determined by appraising the property as filled land and applying the historical filled land rule from the agency's land sale rules.

Treasurer Edwards moved that the recommendation be approved. Secretary Bradbury seconded the motion. The item was approved.

3. **Request for approval of DSL's Coho Conservation Plan measures.**

Director Solliday discussed the five measures contained in the plan for the agency. They are:

1. Continue to administer and enforce the Removal-Fill Law and the Wetlands Conservation Program;
2. Continue efforts to streamline the removal-fill permit process, specifically for fish habitat enhancement and wetland restoration projects;
3. Provide the opportunity for funding of wetland restoration projects through the Wetland Mitigation Bank Revolving Fund;
4. Provide technical assistance and education and outreach for wetlands restoration projects as part of the Voluntary Restoration Initiative; and
5. Cross-reference Oregon Department of Fish and Wildlife's Coho Winter High Intrinsic Potential Habitat maps with DSL's removal-fill permit data for those areas. Depending on the results of this analysis, consider program changes to more effectively protect those areas.

Director Solliday explained that the state believes the Coho population is viable at this point, but the plan addresses concerns that still exist.

Director Solliday also discussed plans to implement a notification-based authorization this summer for stream restoration projects in order to streamline the permitting process for habitat restoration projects.

Governor Kulongoski discussed the success of the plan — mainly due to the private/public partnership that was created around it.

Secretary Bradbury moved that the Board approve the Department's measures for the Coho Conservation Plan. Treasurer Edwards seconded the motion. The Board approved the measures.

### **Informational Agenda**

#### **4. Update on the Three Rivers navigability study.**

Director Solliday gave a brief history of the request from David S. Mann for a navigability study of a two-mile segment of Three Rivers. Notice was sent to adjacent landowners and interested parties. Comments were compiled and analyzed. Staff determined that there is no urgency in determining navigability of Three Rivers and recommended that the request be placed at the end of the list of other requests pending. Action will be taken on these requests in the order they were received.

Governor Kulongoski asked for an estimated date when the Three Rivers study would be performed.

Director Solliday responded that it would likely be around the year 2020 based on the current process and the number of rivers for navigability consideration on the list already.

#### **5. Presentation of the 2006-07 agency communications plan.**

Julie Curtis, Communications Coordinator, presented the agency's 2006-2007 communications plan. She stated that this is the first communications plan the agency has ever had. The plan contains core messages, target audiences for the agency, goals of the plan and additional information to carry out the plan.

The core messages revolve around three main roles of the agency: sustainable management of DSL's Trust lands and the Common School Fund; stewardship of natural and fiscal resources; and collaboration and public service.

The seven goals of the plan are: increase awareness and understanding of DSL programs; build awareness among the public about the Common School Fund, create

more informative internal communications; support the agency's divisions; streamline constituent communications; standardize communications agency-wide; and create an agency crisis communications plan.

Ms. Curtis acknowledged the assistance she received from Brad Sheets, an intern from PSU who helped her with putting the plan together.

## **6. Legislative update.**

Director Solliday discussed bills introduced by the agency and their status:

HB 2105 and 2106 (fee bills) – both bills have had hearings with no opposition. Concerns were raised regarding the annual three-percent increase. The bills have been amended to tie them to the consumer price index for the Portland/Salem area.

HB 2251 (streamlining / pilot project bill) – the bill had a hearing and is scheduled for work session at the end of the week. There was no opposition to the bill and no amendments were made.

HB 2104 (reduces dormancy period on certain unclaimed property) – the bill has not yet been scheduled for a hearing.

SB 67 (transfer of the Unclaimed Property Section to the State Treasurer's Office) – the bill had a hearing and was referred to Ways and Means. It is unknown which subcommittee it will be assigned to.

Both DSL's and the Treasurer's budgets had initial hearings and DSL's budget hearings will continue over the next few days. There was a good deal of discussion about the transfer of the Unclaimed Property Section in both agencies' budget hearings.

Other bills the agency is tracking are:

SB 460 (adds gift cards to unclaimed property) – the bill was introduced at the request of the education beneficiaries. A hearing was held. DSL offered some amendments that would make certain that unclaimed monies from gift cards sold in Oregon would go into the Common School Fund and not to the state where the corporation is headquartered.

SB 432 (shipbreaking) – The agency provided amendments to separately define shipwrecks and to clarify that the bill does not intend to prevent the removal of the New Carissa.


Governor Kulongoski asked for the estimated revenue to the state from unclaimed gift cards.

Director Solliday stated that, nationally, each year, approximately \$4 billion in gift cards are not redeemed. The state of Oregon would receive 1.2% of that amount or \$100 to \$120 million, annually. The current amount accrued in the Trust fund from unclaimed property is \$258 million. If gift cards are included, the Common School Fund could significantly increase over time.

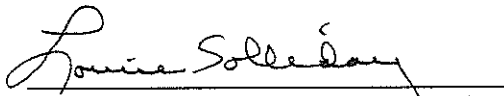
Treasurer Edwards stated that he has heard of several potential bills being drafted that would look at how the Board is managing the Elliott State Forest.

Director Solliday responded that she has heard of a couple of versions but that none had been introduced yet. One would require the Board to sell the Elliott if it does not meet a certain return on asset value. Other potential bills would require an increase in the harvest, prevent completion of the habitat conservation plan and/or prevent inclusion of non-listed species in the new habitat conservation plan.

The meeting was adjourned at 11:18 a.m.



Theodore R. Kulongoski, Governor



Louise Solliday, Director