



# Oregon

Theodore R. Kulongoski, Governor

## Department of State Lands

775 Summer Street NE, Suite 100  
Salem, OR 97301-1279  
(503) 986-5200  
FAX (503) 378-4844  
www.oregonstatelands.us.

The State Land Board met in regular session on February 12, 2008, in the Land Board Room of the State Lands Building, 775 Summer Street NE, Salem, Oregon 97301-1279.

### State Land Board

Theodore R. Kulongoski  
Governor

### Present were:

Theodore R. Kulongoski  
Bill Bradbury  
Randall Edwards

Governor  
Secretary of State  
State Treasurer

Bill Bradbury  
Secretary of State

Randall Edwards  
State Treasurer

### Land Board Assistants

Michael Carrier  
Elon Hasson  
Kate Richardson

Governor's Office  
Secretary of State's Office  
State Treasurer's Office

### Staff

Louise Solliday  
Steve Purchase

Julie Curtis  
Jeannette Holman

Kevin Moynahan  
Lorna Stafford

### DOJ

Jas Adams  
Mark Schumock

Governor Kulongoski called the meeting to order at 10:08 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 or by calling 503-986-5224.

Jas Adams, Attorney in Charge for Natural Resources at the Oregon Department of Justice, introduced Assistant Attorney General Mark Schumock who will be replacing Richard Whitman as legal advisor to the Board.

### Consent Agenda

1. a. Request for approval of minutes of the October 9, 2007 State Land Board meeting.
- b. Request to initiate rulemaking to amend administrative rules governing the Natural Heritage Program and general rules of the agency.

- c. **Request for authorization to submit legislative concepts for the 2009 legislative session to the Department of Administrative Services.**
- d. **Request for approval of the addition of approximately 600 acres known as the Tulana Tract in the Williamson River Delta, owned by the Nature Conservancy, to the Oregon Register of Natural Heritage Resources.**
- e. **Request for approval to initiate review and determination of the purchase of 2 parcels of land adjacent to the South Slough National Estuarine Research Reserve in Coos County.**

Director Solliday reviewed the consent agenda.

Treasurer Edwards moved to approve the consent agenda. Secretary Bradbury seconded the motion.

The consent agenda was approved.

### **Action Agenda**

- 2. **Request for authorization for the direct sale of 651.48 acres of the Eight Dollar Mountain Tract to the Oregon Parks and Recreation Department (OPRD) and request for the adoption of a resolution to decertify the tract from management by the Oregon Department of Forestry.**

Director Solliday explained that the Oregon Parks and Recreation Commission approved the purchase of the Eight Dollar Mountain Tract for \$849,000, which is the appraised value of the property. The Department of State Lands (DSL) will keep a small parcel that is currently leased for a communication site. DSL will also retain the mineral rights for the purchased land and will have the right to buy the parcel back from OPRD should they decide not to use the parcel for a park or open space.

She added that, in addition to approval of the sale, the agency is requesting that the Board decertify the lands as forestlands under management of the Department of Forestry.

Secretary Bradbury moved to approve the sale. Treasurer Edwards seconded the motion. The item was approved.

Governor Kulongoski asked if there were any limitations on OPRD as to what they could do with the property. Director Solliday answered that the intent for the

use of the land was for open space, natural area or a park and OPRD would have complete management authority over it.

**3. Request for approval of a territorial sea statutory easement for a fiber optic communication cable corridor landing for ACS Cable Systems, Inc. in Lane County.**

Director Solliday introduced Scott McMullen with the Oregon Fishermen's Cable Committee, who signed up to testify.

Mr. McMullen explained that the proposed project would be a connection of a cable system from Oregon to Alaska. He stated his appreciation to ACS for their cooperative relationship and his support for the project.

Secretary Bradbury stated that he appreciated hearing reports from the Oregon Fishermen's Cable Committee and hoped that their work with the cable industry will be a model for other issues such as wave energy.

Mr. McMullen responded that he believed this cooperative arrangement is unlike any other in the world.

Treasurer Edwards moved to approve the territorial sea statutory easement for ACS Cable Systems, Inc. Secretary Bradbury seconded the motion. The item was approved.

**4. Request for approval of the release of 6.9 acres of Board of Forestry mineral rights in Lane County.**

Director Solliday explained that this request is in conjunction with the Board of Forestry's sale of 6.9 acres of land to the City of Veneta that will be used for recreational facilities. The Department of Geology and Minerals Industry's assessment of the mineral resources found them to be limited in nature. DSL will receive \$69 for the release.

Secretary Bradbury moved to approve the release of the mineral rights. Treasurer Edwards seconded the motion. The item was approved.

**5. Request for approval of the release of 115.36 acres of Board of Forestry mineral rights in Douglas County.**

Director Solliday explained that this request is in conjunction with the Board of Forestry's intended sale of the 115.36-acre D.L. Phipps Forest Nursery located in Douglas County. The Department of Geology and Minerals Industry's assessment of the mineral resources found them to be limited in nature with the

exception of the sand and gravel minerals. These were determined to have a medium resource potential, however, it is indeterminate as to the economic value of the resource. DSL will receive \$1,153.60 for the release.

Treasurer Edwards moved to approve the release of the mineral rights. Secretary Bradbury seconded the motion. The item was approved.

### **Informational Agenda**

#### **6. Asset management annual report.**

Steve Purchase, Assistant Director of the Land Management Division presented the annual report outlining the Division's activities for fiscal year 2007 (July 1, 2006 – June 30, 2007).

#### **7. Presentation of stakeholder consensus statement on marine protection.**

Director Solliday introduced Cheryl Coon and Mark Hixon who were representatives of a group of individuals that formed to meet and discuss issues surrounding marine protection.

Ms. Coon gave some background on the formation of the group and discussed a consensus statement that every member of the group signed. She also stressed the importance of public involvement in the process of designating marine protected areas or reserves.

Mr. Hixon discussed best practices. These included: 1) clearly defined goals and objectives; 2) long-term political commitment and funding; 3) meaningful stakeholder participation; 4) best readily available social and natural science; 5) encourage open dialogue between scientists and communities; 6) precautionary adaptive management, including long-term monitoring and evaluation; and 7) education, incentives, and enforcement to foster compliance.

Secretary Bradbury asked if one of the practices, defining goals and objectives, was the result of the process or something that is critical to begin the process.

Mr. Hixon responded that it should be the first step once key stakeholders are identified and an open discussion has been held in regards to starting the process.

Laura Anderson joined the presentation. She discussed outreach to communities, economic development opportunities and incentives, and support for the funding of monitoring and enforcement.

Ms. Coon concluded the presentation with an offer to assist with the effort that is currently being conducted by the Ocean Policy Advisory Council.

Secretary Bradbury asked for their opinion on the OPAC process.

Ms. Coon responded that she was strictly speaking for herself and not on behalf of the group. She said that a process like this has to start in the communities and build support and the sense that it is in the interest of the community. She also stated that having scientists available for consultation and a facilitator for procedural problems helped their group immensely. Another issue she discussed was funding for research.

Mr. Hixon added that using the best practices that he presented earlier would be beneficial.

Ms. Anderson reiterated the importance of community building and that empowering communities to be more visionary about ocean issues can increase the chance of success.

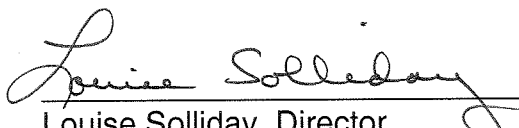
Treasurer Edwards thanked the group for their presentation, their efforts to bring such a diverse group of individuals together and for helping to reach out to coastal communities.

**8. Other.**

Governor Kulongoski presented Richard Whitman a certificate of appreciation for his legal support of the Land Board.

The meeting was adjourned at 11:05 a.m.

  
Theodore R. Kulongoski, Governor

  
Louise Solliday, Director