

Department of State Lands



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2009 Legislative Update

Out of six bills proposed by the Department of State Lands, three are on their way to the Governor's Office for his signature:

HB 2153: changes statutory provisions to allow imposing civil penalties for trespass and lease violations on state-owned uplands.

HB 2155: clarifies definitions, exemptions and provisions in the removal-fill law.

HB 2156: clarifies and improves statutory provisions relating to wetland mitigation programs.

SB 178 (cleaning up DSL's statutory rulemaking language) and SB 179 (protecting estate assets from potential fraud) did not advance; and HB 2154 (transferring the Unclaimed Property Program to the Office of the State Treasurer) was dropped at the request of the treasurer.

DSL's budget hearings were completed in April before the Ways and Means Subcommittee on Natural Resources. No decisions have yet been made on the total dollar amount of the 2009-11 budget or the Policy Option Packages DSL proposed.

More information on DSL's legislative agenda is on our [Web site](#).

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Department Receives Go Oregon! Funds

As part of the state's \$175 million program to stimulate economic activity, the Department of State Lands received \$460,000 for projects focusing on land improvements. The projects include juniper and fence removal on southeastern Oregon rangelands (\$60,000); a boundary survey in the Portland Harbor (\$200,000); and air conditioning upgrades for the State Lands headquarters building in Salem (\$200,000). Three of the four juniper removal projects are completed, as is the fence removal project. Contractors for the projects were selected through a competitive bid process.

On the federal side, the South Slough National Estuarine Research Reserve is applying for American Recovery and Reinvestment Act (ARRA) grant funds for two projects: \$804,800 to implement the new forest management plan at the South Slough; and \$1,550,000 (as a subcontractor of The Nature Conservancy) to restore native oysters in Oregon estuaries, including South Slough and Coos Bay.



DSL also is working with other natural resource agencies and the Oregon Department of Transportation to expedite removal-fill permits for projects funded through the ARRA.

Information about state and federal stimulus funds is available on the state economic recovery [Web site](#).

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Land Management Updates

Stockade Block Planning: The largest block of Common School Fund trust land in Oregon, the 230,000-acre Stockade Block, is located between Burns and Burns Junction on Highway 78 in Harney and Malheur counties. The property is managed as [rangeland](#) and under lease for grazing to neighboring ranchers.

DSL land management staff are working on a 20-year plan for the Stockade Block to guide its management and ensure compatibility with county comprehensive plans. The draft plan continues current leasehold activities (primarily livestock grazing) and maintains and enhances the natural resource base of the property. It also supports development of alternative and sustainable revenue-generating activities such as wind and solar energy production.

A hearing held on April 2 in Burns provided opportunity for the public to comment on the plan. DSL also received written public comments through April 17.

The State Land Board will be asked to adopt the plan at their June 16 public meeting; the plan will be finalized and released in mid-summer. Additional information is available on the [DSL Web site](#).

Rulemaking: Over the past several months, DSL has been working on revising administrative rules governing its land management procedures:

Division 67 rules govern the sale, exchange and purchase of land; the revisions focus on updating and clarifying procedures, as well as speeding up the process.

Division 88 rules govern public recreational uses of state-owned property; the revisions will improve how the DSL director and Land Board may close state lands in the case of emergencies.

Division 110 rules govern forage (rangeland grazing) leases and fees; the revisions primarily update the fee structure based on 2005 and 2008 grazing committees' recommendations.

The department conducted public hearings and comment periods on the three rule changes, and will ask the State Land Board to adopt revised rules at their June 16 public meeting in Salem.

Additional information on the rulemaking process is on the [DSL Web site](#).

In-Lieu Land: The Bureau of Land Management (BLM) in February transferred 640 acres of land in Crook County to DSL to help fulfill the federal government's debt of acreage owed to the state since statehood in 1859. The Juniper Canyon parcel is located approximately six miles south of Prineville. The mostly flat, juniper- and sage-covered land is surrounded by privately owned property, with subdivisions on the south, east and west sides of the parcel. The property also is located within a mile of other state lands.



When Oregon became a state in 1859, the federal government gave two sections within every township to the state for the support of public schools. In 1991, a federal court decision ruled the BLM still owed the state 5,202 acres. Since that time, DSL has received approximately 3,608 acres, mostly in Central Oregon. The department has selected an additional 1577 acres north of Bend at Deschutes Market Road.

As assets of the [Common School Fund](#), the department intends to eventually develop the parcels in Central Oregon to generate revenue for Oregon's public school districts.

"We are mandated by Oregon's constitution to manage state school lands for the benefit of schoolchildren from one generation to the next," said DSL director Louise Solliday. "Squaring up the federal government's 150-year-old debt is a high priority for us, and will ultimately help improve school funding for years to come."

Land Sales: Five of 16 parcels of state land in northeast Oregon were sold at a public auction in La Grande in March. DSL's Asset Management Plan directs the department to dispose of lands that are not actively managed, and to reinvest sale proceeds in other real estate activities. The relatively isolated location of these parcels makes them good candidates for other agencies or property owners to manage more effectively, said John Lilly, DSL's asset manager.

In April, the State Land Board approved offering the remaining 11 parcels in Baker, Umatilla, Union and Wallowa counties on a first-come, first-served basis until they are sold or until Dec. 31, 2009. Additional information, including descriptions of the 11 parcels and state financing arrangements, is on the [DSL Web site](#) or by calling Clara Taylor: 503-986-5276.

DSL also is in the process of appraising 15 isolated forest properties in Coos, Curry, Douglas and Lane counties. The Land Board authorized disposal of these lands by sale or exchange at its June 2008 meeting.

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Mark Your Calendars - June 20 Public Auction



Are you a coin collector? How about sports trading cards? Or maybe you like unusual jewelry. If so, plan to attend the Department of State Lands' upcoming auction of items that have been abandoned in safe deposit boxes.

The public oral auction will be held June 20 at Parrish Middle School in Salem, 802 Capitol St. NE, starting at 9:30 a.m. An auction preview is scheduled for Friday, June 19, 1:00 - 4:00 p.m. at Parrish. An additional preview will precede the auction on Saturday, beginning at 8:30 a.m.

Every year, DSL receives hundreds of boxes, envelopes and packages containing the contents of abandoned safe deposit boxes.

Financial institutions must turn over the contents to the state when owners have not kept up rental payments and when they are not able to be located.

DSL's Unclaimed Property Section staff looks for owners by posting their names on the searchable database on the Web and by performing some specialized individual searches. Any contents that haven't been claimed within two years are sold at public auction.

"Our auctions are very popular and feature fun and interesting items. Last year's January event filled the school cafeteria, with more than 300 people attending," said program manager Patrick Tate.

All proceeds from safe-deposit box auctions are held in trust in the [Common School Fund](#) and made available for claim by rightful owners at any time in the future. The fund sends twice-yearly distributions to all of Oregon's K-12 public schools. In 2008, nearly \$55.4 million was sent to Oregon's 197 districts.

The June 20 auction will be conducted by Liska Auctioneers. Additional information is on the [DSL Web site](#).

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Wetland Mitigation Expanded with New Program

In February, DSL completed the initial step towards providing a wetland mitigation option in areas of the state currently underserved by mitigation banks. The new In-Lieu Fee Program will provide sellable credits that may be purchased to fulfill mitigation obligations under Oregon's Removal-Fill Law, as well as Section 404 of the Clean Water Act administered by the Army Corps of Engineers.

With the program framework now in place, DSL is seeking approval from the Corps for two project sites, one in the Salmon River Estuary and one in the Tualatin watershed, that will eventually offer credits for wetland mitigation in those areas.

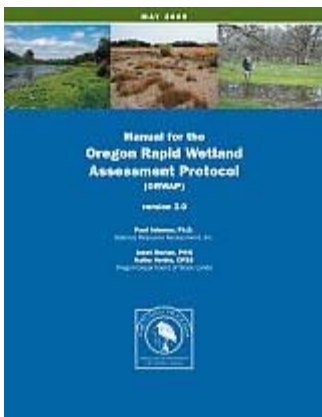


"Our goal is to restore wetlands that support regional conservation needs, and to be able to use those projects to achieve no net loss of wetlands in the state," said Dana Hicks, in-lieu fee mitigation specialist for DSL.

Hicks said DSL is seeking nominations for additional projects across the state. For more information, contact [Dana Hicks](#).

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Wetland Protocol Completed



After four years in the making, the Oregon Rapid Wetland Assessment Protocol (ORWAP) is now available for use.

ORWAP is a standardized protocol for rapidly assessing any type of wetlands anywhere in Oregon, and will be used primarily for state removal-fill and federal Section 404 of the Clean Water Act permit applications. While not required for permit applications in Oregon, ORWAP will be an "approved method" for many state permit applications.

The protocol is designed to be used for multiple purposes by multiple agencies, including assessing all wetlands within a city or watershed, for implementing Swampbuster programs under the 1985 Farm Bill, and for evaluating the success of voluntary wetland restoration or enhancement projects.

The Department of State Lands initiated ORWAP development with funding assistance from EPA Region 10. The effort included the EPA, the Portland District Corps of Engineers, the Natural Resources Conservation Service and other state and federal agencies throughout the development process.

Dr. Paul Adamus, Adamus Resource Assessment, Inc., developed ORWAP with help from more than 100 individuals – private consultants, staff from non-profit organizations and agency employees – who participated on technical advisory committees, assisted with field testing in over 220 wetlands statewide, provided expert knowledge about regional wetlands, developed supporting information, and provided peer review.

The ORWAP document and supporting material is available on the [DSL Web site](#).

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State Land Board Presents Annual Awards

At their April 14 meeting, the Land Board presented the *2008 Stream Project Award* for the Coal Creek Dam Removal in Tillamook County, and the *2008 Partnership Award* to the Oregon High Desert Grotto for mapping underground caves on state land in Central Oregon.



Spearheaded by the Tillamook Estuaries Partnership, the dam removal project involved a successful partnership of private and public organizations. Contractors started the removal process in the summer of 2007, and on September 5, 2008 the Coal Creek Dam was successfully blasted away.

Members of the High Desert Grotto amateur "spelunking" group provided extensive mapping of underground lava tubes on the Stevens Road parcel, a 640-acre tract of Common School Fund land in southeast Bend. At no cost to the state, the project yielded information on the size, location, condition and potential management of eight caves.

More information about the Land Board Awards is available on the [DSL Web site](#).

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South Slough Turns 35



The South Slough National Estuarine Research Reserve (SSNERR) is a 4,804-acre natural area encompassing a portion of the Coos estuary on the Southern Oregon coast. The first of 27 estuarine reserves nationwide, the South Slough was established as part of the Coastal Zone Management Act of 1972. In partnership with cooperating states (in Oregon it's the Department of State Lands), the National Oceanic and Atmospheric Administration oversees the country's 27-site NERR system.

The South Slough Reserve gathers scientific information essential to coastal zone decision-making and heightens awareness of the important role of estuaries. Their education and outreach programs inform local policy makers, students, teachers and South Coast visitors about coastal wetlands and estuarine habitat.

To celebrate their 35th anniversary, the South Slough is offering special activities on **Saturday, July**

11:

- 12:00 - 4:00 p.m.** Open House at South Slough Interpretive Center
- 1:00 p.m.** Tribute to Oregon's 150th birthday and the Oregon Hairy Triton, the official state seashell
- 2:00 p.m.** Hike along the *new* North Creek Trail
- 3:00 p.m.** Dedication of the North Creek Trail at the new bridge site

Go to the [South Slough Web site](#) for more information on its public programs and events.

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Mill Creek Cleanup



Jevra Brown (far right), DSL wetlands specialist, provides Mill Creek Cleanup information to participants in the Friends of Straub Environmental Learning Center's May 16 native plant tour. DSL's Oregon 150 project to remove invasive species and plant native species along the creek was one of five tour sites featured.

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