



Oregon

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October 16, 2023

Oregon Land Conservation and Development Commission
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

LCDC Chair Hallová and Members of the Commission:

On behalf of the Ocean Policy Advisory Council (OPAC), we transmit the Territorial Sea Plan (TSP) recommendations made during the September 8, 2023, meeting of the Council. Our recommendations are related to OPAC's work in completion of the amendments to TSP Part Four – Uses of the Seafloor.

Background: TSP Part Four – Uses of the Seafloor

Oregon's coast is a prime landing zone for fiber-optic telecommunication cables that cross the ocean floor from sites around the Pacific Rim. Other types of utilities such as ocean outfall pipes also make use of the seafloor. In the future, utilities such as pipelines and power transmission cables from renewable energy facilities, may eventually be routed across the seafloor of the state territorial sea. Proper placement of easements and installation of infrastructure is required to avoid damage to or conflict with other ocean uses and to avoid, minimize, and mitigate adverse effects on natural resources, marine habitats, and coastal communities.

LCDC originally adopted Part Four of the Territorial Sea Plan on December 1, 2000, based on a January 28, 2000, recommendation from OPAC. In May 2022, OPAC convened the TSP Part Four Workgroup, as mandated by 2021 House Bill 2603, to review and draft amendments to this chapter of the Plan. Over the course of 10 meetings, Workgroup members discussed the current regulatory framework, considered the needs of industries that might make use of the seafloor, and identified processes for addressing impacts to state resources and other ocean users. The Workgroup strove for and reached consensus on the draft amendments it forwarded on to OPAC.

OPAC Recommendations:

The Council deliberated and acted to recommend amendments to TSP Part Four based on recommendations from the Workgroup at their September 2023 meeting. The proposed amendments provide a strategic framework for the decision-making, partnerships, and collaborative process for permitting undersea infrastructure on, affixed to, or buried under the seafloor in the state territorial sea. The framework aims to maintain the long-term protection of marine ecosystems, preservation of their ecological functions, economic and social services, and, at the same time, protection of infrastructure on, affixed to, or buried under the seafloor in the state territorial sea from potential threats to preserve the services such infrastructure provides Oregonians.

To ensure better coordination and communication among state agencies early in project planning, OPAC recommends implementing a Joint Agency Review Team that would work with applicants and interested and affected communities to review proposed projects and provide input on applications for uses of the seafloor.



Conclusion

Planning and coordination are vital to ensure uses of the seafloor are properly sited and designed to avoid impacts to our ocean and coastal resources and ocean users. We applaud the hard work and commitment of the Workgroup members and state agencies that developed the proposed amendments and urge your adoption of OPAC's recommendations.

Thank you,

A handwritten signature in blue ink, appearing to read 'Susan Chambers', with a long horizontal flourish extending to the right.

Chair Susan Chambers
The Ocean Policy Advisory Council

A handwritten signature in blue ink, appearing to read 'Tara Brock', with a large, sweeping flourish on the left side.

Vice-Chair Tara Brock
Chair, TSP Part 4 Workgroup