



**CONFEDERATED TRIBES OF
COOS, LOWER UMPQUA AND SIUSLAW INDIANS
TRIBAL GOVERNMENT**

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October 4, 2023

Coos County Planning Commission
250 North Baxter Street
Coquille, OR 97423

SENT VIA EMAIL (planning@co.coos.or.us)

RE: Comments on Coos Bay Estuary Management Plan Update

Dear Commission Members:

These comments are submitted on behalf of the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians ("CTCLUSI") on the Phase 1 of the Coos Bay Estuary Management Plan ("CBEMP") update.

The CBEMP update calls for an advisory committee to facilitate ongoing maintenance of the multi-jurisdictional management plan. The Tribe strongly supports this advisory committee and requests the opportunity to appoint a representative to the committee. Such an appointment would assist in ensuring that Tribal concerns are addressed in the CBEMP process.

The update also calls for a representative from the Port of Coos Bay. The Tribe objects to the appointment of a port representative. The Port has limited authority solely to engage in activities that are for a "legitimate port purpose." *Harrison v. Port of Cascade Locks*, 37 Ore. App. 391, 393-94 (1978). ORS 777.258 allows ports to promote the maritime shipping, aviation, and commercial interests of the port. Estuary protection and planning under the CBEMP extend beyond the Port's narrow interest in shipping and related economic development. Accordingly, the Tribe believes that inclusion on this advisory committee is inappropriate.

Thanks for your consideration of these comments.

Respectfully,

Brad Kneaper
Chair, Tribal Council
Confederated Tribes of Coos, Lower and Siuslaw Indians