

State agency proposes higher waterway registration fees

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Proposed new rules and fees from the Oregon Division of State Lands have local landowners and elected officials requesting a timeout.

The state agency has proposed increasing registration fees for waterway structures – in some cases, doubling the present rate.

Fees for dikes, tidal gates, docks, riprap (rocks placed along waterways to control erosion) and other waterway features would range from \$250 to \$700, depending on the size and type of the feature. Registrations would be valid for five years.

State Sen. Betsy Johnson, Tillamook County commissioners Mark Labhart, Tim Josi and Chuck Hurliman, county staff, and members of the Soil and Water Conservation District met with Division of Lands representatives Dec. 1.

“I believe there is quite a bit of misinformation out there,” said Labhart. “It seems like this isn’t an emergency by any means. We’re heading down a pathway of potential acrimonious situations between property owners and the state.”

Labhart, Josi, Hurliman and Johnson have asked state officials to consider putting the new rules and fees on hold to give the public more opportunity to understand and comment on the changes.

“There are a lot of people in northwest Oregon who are very, very resistive to the idea of these rules,” said Johnson.

What isn’t clear, at least to many of those at the Dec. 1 meeting, was how and when the new rules and fees would go into effect.

Nancy Pustis of the Division of State Lands said that only waterway features located on state lands would be affected. “It’s not relative to any properties that are privately owned. It’s only on state-owned waterways,” said Pustis.

But for small diking districts that may be using a dozen or more of the waterway features to manage tidal overflows for farms and neighborhoods, the fee increases may be more than they’re willing to take on.

“This is nothing more than a grab for money,” said Dale Buck of the Tillamook County Farm Bureau. “This thing is getting completely out of hand.”

Some property owners said

they’re being fined for providing a service to the community. If the fees go up, they said, they won’t want to continue maintaining those waterway features.

“I spent hundreds upon hundreds of hours stabilizing the banks,” said Soil and Water District member Clarence Boquist, regarding the river, dike and tide gate features on his farm. “After working that many hours for all those years, I’d be really tempted to say I refuse to pay that fee.”

Johnson isn’t surprised that landowners are resistant to the increase in fees.

“We’re asking diking districts, which in some cases have no ability to raise revenue – they’re subject to all these various federal regulations – we’re asking them to spend more money for what is a public benefit,” said Johnson.

“For me, there is a just a complete disconnect here.”

Although the State Lands public-comment period was extended only until Dec. 24, officials said they would take the concerns and comments back to division director Louise Solliday for consideration.

For a copy of the proposed rules, go to Oregon.gov/DSL/LW/waterway.html