



ON THE WATERFRONT

A Publication of Waterfront Organizations of Oregon

P.O. Box 83926, Portland, OR 97283-092

wooinc.org

December, 2002



SANTA SEZ: MERRY CHRISTMAS, HAPPY NEW YEAR, AND SAFE, HAPPY BOATING TO ALL

Picture compliments of Dan Gulbrandson and Santa at St. Johns

PRESIDENT'S MESSAGE

Tom McInnis

I was recently asked to reflect on our organization's accomplishments over the past year. At first blush I thought to just list our individual members and our organizational involvement, comments and activities with agencies such as the Division of State Lands (waterway leasing rules and removal fill), Oregon Marine Board (ADA requirements for marinas, written comments on budgetary shortfalls and increased fees) and involvement with DEQ and EPA in connection with the Portland harbor cleanup as a superfund site.

Other variations of this theme was our involvement in budgetary support for the River Patrol and post 9-11 guest speakers from the U.S. Coast Guard to inform members how we could best contribute with regard to waterfront, dam and harbor security.

Then I thought to reflect on the network that has been formed between members and the available resource base that has been created to answer questions, give how-to advice and help in resolving a variety of issues from dredge permitting, waterfront safety issues, general maintenance, or simply where to shop for insurance.

I remembered there were several other areas where we had successful input in fostering the environment and the waterfront community; perhaps these accomplishments should be expounded on. Is continuing to keep members informed as to what transpired at board and general meetings and other issues through meeting minutes and our Newsletter a noteworthy accomplishment?

After much thought and consternation it became clear how to best gage, list or reflect on our organization's accomplishments. Simply put - Our foremost accomplishment was the successful adherence and fulfillment of our Statement of Purpose.

The coming year will again bring various issues to the forefront which will directly and indirectly impact the waterfront community and the users of Oregon's waterways for many years into the future. It is my hope that Waterfront Organizations of Oregon will again have the accomplishments and commitment of purpose to meet these challenges.

Thank you for your participation and continuing support.

STATEMENT OF PURPOSE

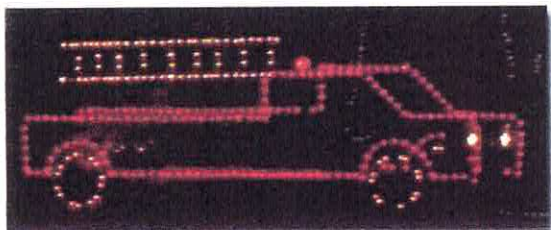
1. To encourage and promote educational programs aimed at all users of Oregon's waterfront and waterways in order to increase public access to the river as a gathering place for a wide range of waterway activities.
2. To foster stewardship of Oregon's waterways with an eye toward environmental responsibility and recreational use, making our organization available for projects that benefit Oregon's waterways.
3. To monitor and communicate with governmental agencies to ensure that members are fully informed of waterway and waterfront regulations and policy changes that potentially impact the members of the waterfront community.
4. To network and associate with other groups as a resource for the common interests and benefits of all waterway users.

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- Musings

Thanks to the contributors to this Newsletter:

Carol Grant
David Grant
Dan Gulbrandson, Photographer
Tom McInnis
OSMB



Christmas Safety Tips

Contributed by:

Carol Grant

Here are some things you can do to make your tree safer during the holidays:

- A real tree should not lose green needles when you tap it on the ground
- Cut one inch off the trunk to help absorb water
- Leave the tree outside until ready to decorate
- The stand should hold at least one gallon of water
- A 6 foot tree will use 1 gallon of water every two days
- Mix a commercial preservative with the water
- Check the water level every day
- Secure the tree with wire to keep it from tipping
- Keep away from the floor heaters, fireplaces and other heat sources
- Use only UL-listed lights, with no more than 3 strands linked together
- Use miniature lights – which have cool-burning bulbs
- Turn off the Christmas lights when you sleep or leave home for very long
- Never use candles, even on artificial trees
- To clean the tree stand and improve the tree's water intake, use one cupful of bleach to a cup of water. Rinse thoroughly
- Dispose of tree properly!!

PUBLIC COMMENT SOUGHT ON CORPS' DREDGING PERMIT

By
 David Grant

The DEQ will now be accepting public comments on the water quality permit application submitted by the U. S. Army Corps of Engineers to deepen the navigation channel in the Columbia River from Vancouver, Washington to the river's mouth on January 6th in Astoria and January 7th in Portland.

The Oregon Department of Land Conservation and Development is also asking for public comment on a coastal zone permit the Corps submitted for the dredging project.

The Corps is proposing to deepen the 40 foot deep shipping channel by three feet to improve navigation access along the length of the shipping channel from the Interstate 5 Bridge at Vancouver to the mouth of the Columbia River. Included in the discussion will be the disposal of rock, sand, gravel and sediment removed from the channel during this dredging process.

Copies of the permit applications are available for review at DEQ Headquarters, Water Quality Division, 811 SW Sixth Avenue, Portland and at Land Conservation and Development Headquarters, Ocean-Coastal Management Program, 635 Capitol St., NE, Suite 150, Salem, Oregon, as well as on the Corps Web Site:
www.nwp.usace.army.mil/issues/crcip/pubs.htm.

Written Comments should be submitted to: Russell Harding, Oregon DEQ, 811 SW Sixth Avenue, Portland, Or 97204, and must be received by 5:00 ON Wednesday, January 15, 2003.

Hearings will be held at:

Astoria, Oregon
 7:00 PM Monday, January 6, 2003
 Columbia River Maritime Museum, Kern Room
 1792 Marine View Drive Astoria Oregon

Portland, Oregon
 7:30 PM Tuesday, January 7, 2003
 State Office Building Room 140
 800 NE Oregon, Portland, Oregon

MEMBER SPOTLIGHT

(Second in Series)



RODGERS MARINE LLC

BY

Timothy Jenkins

After discovering photography at an early age, I always felt I would earn my living as a photographer. Unfortunately the effects of the late 60's economic recession put my photographic career on hold. Upon learning that I was unemployed, my father, Rodgers Jenkins, asked me if I wanted to install equipment for his new marine electronics company. In dire need of some kind of a job, I reluctantly agreed to work for him. Having little interest in electronics at that time, I told him that this was only a temporary job and that I planned to get back into photography. Rodgers still reminds me of that statement to this day - - thirty-one years later.

Rodgers Marine LLC has grown from the two original employees of 1971, to 12 people today. Our primary business involves the selling of marine electronics, service, and installations. Ten years ago we were able to purchase the old Daniel's Dock moorage and the building that houses Rodgers Marine. The moorage has just over 100 boat slips, 12 boat house spaces, and a rental building in which SK Watercraft Rentals resides.

With Rodgers retiring several years ago, my duties now include managing the company day to day. I still enjoy installing the odd piece of equipment now and then, or repairing something for a customer. On a nice day it's always great to get out of the office and down on the docks!

My wife Jan and I enjoy boating and fishing from our 28 foot Uniflite. We moor the boat at Hammond during the summer and chase after salmon, tuna and crab.

MEMBERSHIP COMMITTEE REPORT

By

David Grant

We are preparing a two part invoice to be sent to all members for 2003 dues. The invoice will be mailed before the end of December. You will be able to keep a portion for your records and return a portion with your check. A return envelope will be provided for your convenience.

The Membership Committee needs help in getting new members. This is an Organization that benefits the Waterfront community throughout the state. The works of the Waterfront Organizations have provided a flow of information and understanding between the various Governmental agencies and our members. If you have membership prospects, please send us a note with your renewal. If you have someone to sign up, contact Jean McNulty, 503 543-2926, or David Grant, 503 543-5400. Thanks.



OREGON STATE MARINE BOARD

FROM

NEWSLETTER—DECEMBER, 2002

The Newsletter tells us that the "long awaited" ADA rules for boating facilities are now finalized as of October 3, 2002. The process has taken several years and received input and comment from many public agencies nationwide, among whom were the Waterfront Organizations of Oregon. The Oregon State Marine Board played a major role in helping shape the final rules. Section 15.2 of the Americans With Disabilities Act Accessibility Guidelines (ADAAG) covers the new rules for boating facilities and Section 15.3 covers the new rules for fishing piers and platforms. These rules apply to newly designated or newly constructed and altered boating facilities.

The rules require providing an accessible route to waterside amenities (i.e., floats, boat slips, fishing piers) with exceptions for gangways 80 feet long to exceed maximum upland slopes. Accessible boat slips are now required based on the total number of slips, and the rules define requirements for accessible slips.

You can obtain a copy of the final rules by visiting the Access Board's web site at www.access-board.gov.

Steve Purchase

Assistant Director of Field Operations,
 Division of State Lands

Steve Purchase was our guest speaker at the December 10, meeting. He is responsible for the priority and regulatory programs of the Division of State Lands. Steve has worked for the Division for fifteen years. Among his present duties are the management and supervision of over 2,000 leases for waterway, mineral development, range lands, sand and gravel, oil and gas and industrial activity on 3.5 million acres of land. Steve is also responsible for the administration of the State of Oregon Removal/Fill Law. The Division administers some 3,100 annual permits for various activities on waters in the State, including wetland areas. Steve has a Mining Engineering Degree from the South Dakota School of Mines and Technology.

Five subjects were covered during the meeting: (1) Waterway Leasing Inventory; (2) The wharfing issue; (3) The New Carissa; (4) Removal/Fill; (5) Definition of "Thread of the Stream" as it applies to waterway leases.

On the **Waterway Leasing Inventory** he advised that a very extensive state-wide inventory is for the most part complete. Presently they have 397 waterway leases, down considerably from previous years, due in part because many of the log rafts went off the river when the fees were raised and a lot of people have reduced their areas. However, the revenue is fairly static. Revenue numbers year-to-date compare to last year, but they are expected to increase \$50,000 to \$80,000 at the end of the biennium.

As far as the current inventory is concerned, it is only accurate the day it is done. The Division has tried very hard in the legislative process to get local governments to tell them when a building permit for structures on state property is issued, but this has not been implemented, therefore the inventory ground truthing is an on-going process.

In order for the DSL to enter into a lease, local government approval for the proposed activity on the waterway is necessary. It was discovered that Clatsop County did not have any ordinances for waterway uses. This is being resolved, but it has taken many years. As soon as this is confirmed, the DSL will start getting these folks under lease.

The **wharfing issue** is concerned with people who have the right to wharf out in navigation channels for purposes of commerce. It has been determined that a wharf as a structure does not grant a wharfage exemption. It is the use of such a structure that grants wharfage! So, as long as your use meets the wharf definition, then you can use it, but the minute that use goes away, it no longer can be registered under the wharfage exemption.

The **New Carissa** went aground back in 1999. Recently, after a nine week trial, a jury ruled that it was a trespass. The jury was asked if it should remain as a long term trespass, or if it should be ruled as a short term trespass with removal and damages to the State. The jury ruled it a short term trespass and awarded \$25M to get it removed. The jury also said in their response that they wanted it gone. Of course this determination is under appeal, so it is not done with yet.

According to the State Beach Law, it is a violation of the State planning goals to leave a structure or wreck on State land. The beaches on

the Oregon coast are open and free to all people and there are to be no structures there.

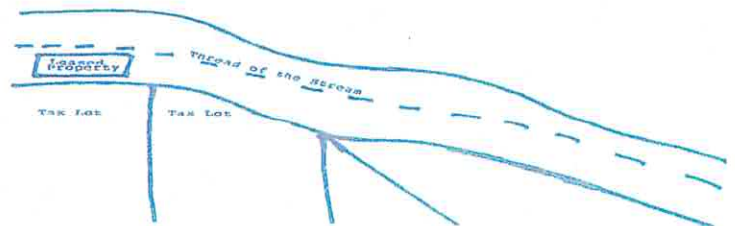
Removal/Fill: In the current rules there is a definition for removal and fill. Removal is only certain materials, fill is materials, including organic, so under State law, if you remove an organic material from a waterway, like wood debris, a piling, something like that, you don't need a permit to remove it. Your concern is most probably piling. If you have piling in place, piling is classified as a **structure**. Maintenance of an existing structure is exempt from the Removal/Fill Law, so if you need to replace piling you can do it, even if you are replacing wood piling with metal. However, if you need to put new piling in, you need a permit. You only need one permit for one new piling or ten new piling.

There has been much interest recently in the Division's definition of **Lease Boundaries**. When a lease is requested, the first thing the DSL does is make sure that the appropriate city or county planning department, pertinent state and federal agencies and all lessees and riparian property owners (as available from the local county assessor's office records) within 200 feet of the proposed or existing use be notified by

the Division and have the opportunity to review and comment on the accepted applications. Based on the evaluation of the application and the comments received, the Division will either approve the application to process the lease, require that the applicant modify and resubmit the application, or deny the application. If the Division determines that the proposed or existing use meets the policies set forth in the rules in OAR 141-082-0010, the Division will determine the area needed to fully encompass the perimeter of the use as well as any additional water surface area needed to support the use. The Division will also determine the method to describe the boundary of the authorized area. If the area is

in dispute, the Division may require the applicant to have a survey of the area conducted by a licensed professional engineer or surveyor and will provide survey instructions as well as specify the information required in the survey and accompanying notes. The applicant will be responsible for the costs of the survey.

Under 141-082-0049, When a lease application has been approved, the Division will: "(b) If the proposed lease area consists of a single parcel, or two or more contiguous parcels owned by the same person, the Division will extend the boundaries of the single parcel or combined group of single-ownership parcels **perpendicular to the thread of the stream** as in OAR 141-082-0049(6)(a)....."



On a regular river or stream the lease boundaries are fairly simple to delineate (as on the diagram above), as opposed to a lake that is essentially round or in the case of a inhabited cove. It is suggested that if you have a dispute with your neighbor, you try to settle it among yourselves since court and surveying expenses can become very costly, and the DSL rules are not really flexible.



THE RECIPE CORNER

Hey, guess what, it's my favorite time of year again, **SOUP TIME.**

I like this soup because it can be a little spicy to warm you up on cold winter days.



POZOLE

Golden Hominy Soup

Serves 6

- 1 lb. Boneless lean pork, cut in 1 inch cubes
- 6 chicken thighs, cut in quarters
- 1 cup chopped onion
- 3 garlic cloves, chopped
- 1-1/2 teaspoons chili powder
- 1 teaspoon ground oregano
- 1/2 teaspoon Tabasco sauce
- 1 teaspoon salt
- 2 teaspoons cumin
- 5 cups canned chicken broth
- 1/2 cup masa harina flour
- 3 cups chilled canned chicken broth
- 1 (1 lb. 13-oz.) can golden hominy

Garnishes

- | | |
|----------------------------|-------------------------|
| Salsa | Fresh Cilantro |
| Bunch green onions, sliced | 6 to 8 radishes, sliced |
| 1/2 head lettuce, shredded | 1 avocado, sliced |
| 6 small limes, halved | |

Heat oil in large soup pot. Add onions and garlic. Cook until onion is limp. Stir in pork and chicken, chili powder, oregano, cumin, Tabasco and salt. Stir until meat is evenly coated with spices. Add 5 cups chicken broth and bring mixture to a boil. Simmer until meat is tender (about an hour). Use a whisk to combine masa harina flour with 3 cups chilled chicken broth. Stirring constantly, add flour mixture to soup pot. Bring soup back to a simmer and stir in golden hominy. Simmer for 10 minutes. If soup is a little thick, add more chicken stock. Let individuals garnish their soup as they desire.

CAN MOST OF YOU RELATE TO THIS?

Don't you think we were blessed to grow up in these times? Looking back, it's hard to believe that we have lived as long as we have.

As children we would ride in cars with no seat belts or air bags. Riding in the back of a pickup truck on a warm day was always a special treat.

Our baby cribs were painted with bright colored lead based paint. We often chewed on the crib, ingesting the paint.

We had no childproof lids on medicine bottles, doors, or cabinets, and when we rode our bikes we had no helmets.

We drank water from the garden hose and not from a bottle.

We would spend hours building our go-carts out of scraps and then ride down the hill, only to find out we forgot the brakes. After running into the bushes a few times we learned to solve the problem.

We would leave home in the morning and play all day, as long as we were back when the street lights came on, no one was able to reach us all day.

We played dodge ball and sometimes the ball would really **HURT.**

We ate cupcakes, bread and butter, and drank sugar soda, but we were never overweight; we were always outside playing!

Little League had tryouts and not everyone made the team. Those who didn't had to learn to deal with disappointment.

Some students weren't as smart as others so they failed a grade and were held back to repeat the same grade.

The generation produced some of the greatest risk-takers and problem solvers.

We had the freedom, failure, success and responsibility, and we learned how to deal with it all!!!

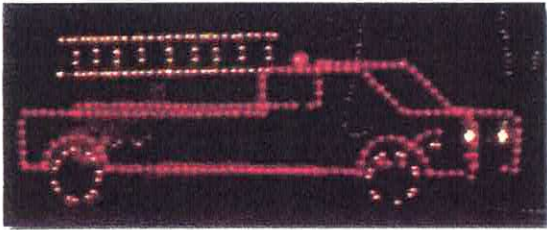


We would like to thank all the participants in the Christmas Ship parades, both the Columbia fleets and the Willamette fleets. They make Christmastime very special for those of us who live on the rivers and our friends, and for those visiting the rivers, and we appreciate their dedication.



I would like to thank all the people who contributed to these Newsletters throughout the year, without whom the Newsletters could not be assembled. I would especially like to thank Dan Gulbrandson who is so conscientious about making sure we have pictures of all the events and who has initiated the "Member Spotlight", David and Carol Grant for their research and articles, Mike Bostwick for his interesting contributions and of course, our President Tom McInnis who always rises to the occasion with his "President's Message". Thanks to all.

Jean McNulty—Secretary



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