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MONITORING OREGON'S COASTAL
MANAGEMENT PROGRAM

by

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INTRODUCTION

More often than not, society's problems are approached in a haphazard and disorganized way. Of necessity, decision makers spend more time responding to passing or imminent crises than to thoughtful consideration of long-range needs. At every level of government one can see this approach--it is so pervasive that political scientists have a wealth of terms for it: "incrementalism", "crisis management", or most descriptive of all, the gentle art of "muddling through." It is a remedial approach to problem solving, and it concentrates on short-run effects, using fingers and thumbs to plug holes in the dike where a thorough reconstruction might be in order.

In the 1970's Oregon citizens and public officials found a better way of dealing with challenges of population growth, economic development, and environmental deterioration. With a commendable measure of imagination and ingenuity they applied this discovery to the management of one of the state's most precious natural resources: the 350-mile-long Oregon coast. The management technique which Oregonians are now applying is called a Comprehensive Plan, and for several years now all of Oregon's coastal communities have been scrambling to produce them.

WHAT IS A COMPREHENSIVE PLAN?

A Comprehensive Plan is in effect a constitution--not for a body of people, but rather for a geographic locality. There will be 277 of them for Oregon, one for each county and each incorporated city. Prepared by citizens and elected officials of that locality, it is a document which puts into legally binding language what has been decided about which resources should be conserved, which should be developed, and how competing demands should be balanced. It is called "comprehensive" because it represents an attempt to consider everything about that locality which is pertinent to the decision-making process. To be complete it should include items like the following:

- inventories of resources and their limitations, such as assessment of ground water capacity, stream flow, natural hazards, flood plains, slide areas;
- facts and projections on demographic data, economic projections, public facilities, housing;
- policies on land and resource use, whether the land is agricultural, forest, residential, commercial, industrial, or coastal in nature; and
- ordinances to carry out the intent of those policies.

Taking stock of resources is only the beginning. Policies for the use of those resources must be formulated, and for that purpose the ideas of citizens and business people must be sought out. Comprehensive planning is by its very nature a controversial process; many conflicts and competing interests require resolution. (This is the appropriate and most convenient level on which to reconcile opposing parties. After a Plan is approved courts or review agencies provide the only remedy.)

Once the Plan is approved by local authorities (either the City Council or the County Board of Commissioners), then those authorities are responsible for ensuring that all policies are implemented. ("Implementation" simply means the translation of decisions into action.) The intent of all adopted policies must be reflected in the zoning and development ordinances of that locality.

Even then the task is not complete. The Plan must be approved by a state agency for consistency with all applicable state and federal requirements. And once approved, the Plan must also be reviewed regularly and amended as needed. It is a complicated, time-consuming, and exhausting process--anyone who has participated will confirm that. Every step of the way is laden with aggravation and compromise, for a Comprehensive Plan will necessarily involve value judgments about which people will honestly disagree. But if the Plan has been done thoughtfully and if concerned citizens have conscientiously been involved in its development, the results are usually worth the effort.

Some people--not all of them motivated by special or self-interest--bitterly oppose comprehensive planning. Not everyone agrees that planning is necessary to ensure future livability, some preferring free market mechanisms instead. The goal of planning is to enable communities to grow in an orderly manner, consistent with the desires of the people in that community, so that valuable resources are used wisely or preserved for the benefit of future generations, and so that public and private development can occur at least cost. People will honestly disagree about the means to achieve these goals; few will question the desirability of the goals themselves.

It may well be that current theories and methods of planning do not represent an ideal balance between ecological, economic and social responsibility. There is no doubt room for considerable refinement. But experience has shown all too dramatically that failure to plan can result in chaotic growth and depleted resources--and also in unemployment, a depressed economy, rising crime, inadequate housing, polluted air and water. For these problems everyone pays. The price is already too high, and it can only get higher without effective planning. The risks and consequences are so great that imperfect planning must be preferred to none at all.

OREGON'S APPROACH TO COMPREHENSIVE PLANNING

Oregon has been more fortunate than other states. It is richly endowed with natural resources and only moderately populated. Fewer than 200,000 people live along the coast. But Oregon is growing--fast. California has long been notorious for its growth rate, but in 1977 Oregon's growth was 26 percent greater than California's. Every year Oregon's population grows by almost 50,000 people--the equivalent of a new Corvallis or Medford every year. (There is no reason to believe that Oregon's growth will slow down in the near future. A poll taken in California not long ago found more than 16 million residents who wanted to move to another state. And Oregon was the overwhelming choice of those wishing to move!) Pressures like these are acutely felt on Oregon's magnificent but fragile coastline, and the necessity for an appropriate response is becoming widely recognized.

Fortunately, Oregon already has laws to protect its coastline. But not all protective measures are as recent as one might suppose. As far back as 1899 the Oregon legislature passed a law to protect beaches, and in 1913 a farsighted governor took steps to assure public access to Oregon's beaches. Through this action and also through the far-reaching effects of Oregon's Beach Bill of 1967, public use of the ocean beaches has been guaranteed in perpetuity--a right still severely restricted in our neighboring West Coast states.

Most of Oregon's responses to the challenge of growth, however, are more recent, born out of the environmental movement of the late 1960's, when Oregon citizens, government, and industry earned national publicity by cleaning up the Willamette River, and the early 1970's, when rapidly accelerating growth in the coastal counties was everywhere threatening intricate ecosystems. At that time citizens and public officials decided to put an end to reckless and wanton land use, not only on the coast, but state-wide as well. In 1970, while citizens and legislators were getting together to decide how best to manage growth, Governor McCall imposed a moratorium on further filling of estuaries associated with state agencies.

The result was a law which provided incentive for local governments to break the wasteful land-use habits that developed all across America in the years following World War II. Oregon's coastal management program has therefore evolved as part of a larger category of land use management in general. Both are treated not merely as environmental problems, but rather in a broader context of social and economic needs. Oregon has, moreover, wisely avoided the unpopularity and ungainliness of direct state-level control, and has chosen instead to leave planning to the cities and counties. The state protects its interests by setting standards which local Plans must meet, and by authorizing a state agency to coordinate and oversee the development of local Plans. What has emerged is a coastal management program of considerable ingenuity, which formulates strict standards, while both

maintaining a balance of competing interests and assuring a maximum of local autonomy. Oregon's coastal management program is unique in that it simultaneously:

- places the responsibility of planning and enforcement of standards on the local level of government;
- minimizes state and federal interference once local Plans have been determined to be consistent with state standards and to be consistently enforced, yet protects state and national interests by insistence on those standards;
- facilitates the partnership of the local, state and federal levels of government, while reversing the usual direction of priority (i.e., both federal and state standards will, with certain exceptions, be subservient to local Plans once adopted and approved);
- ensures an open process of policy formulation by assigning a central role to citizen participation, thereby minimizing the feelings of helplessness and resentment toward planners and the planning process; and
- provides a procedurally easy framework for resolving conflicts without having to rely on the cumbersome machinery of the courts, thereby providing a background of stability and security in which financial savings can be maximized for individuals, business, and

government, and in which appropriate development can proceed more rapidly, unburdened by long delays in obtaining permits or in court challenges. Development and social costs are lessened where the rules are well-defined and not arbitrary.

Oregon is truly a leader in the fight to protect precious coastal resources. Nowhere else in the world is there a more exacting yet balanced coastal management program. How has this been achieved?

THE STATEWIDE PLANNING GOALS

The modern phase of the land use planning process began in Oregon in 1969. In that year the legislature enacted Senate Bill 10 (incorporated into Oregon Revised Statutes Chapter 215), which required that Oregon cities and counties develop Comprehensive Plans in compliance with statewide standards. Major portions of Senate Bill 10 were referred to the voters in 1970, and by a margin of 3 to 2 Oregon citizens affirmed the utility of planning.

Senate Bill 10 provided for the formation of a study commission, the Oregon Coastal Conservation and Development Commission (OCCDC), which convened in 1971 to study the coast's resources and develop a management plan. In the years following, the Commission successfully produced an inventory and identified needs of coastal communities, and in 1975 it published its recommendations for a management program. Their job completed, the Commission officially disbanded. (Its functions have in part

been taken over by the Oregon Coastal Zone Management Association, Inc.--OCZMA--a voluntary association of local governments and special districts which operates independently from any state or federal mandate.)

In the meantime, several years after Oregon began to consider comprehensive planning for the management of coastal resources, the United States Congress enacted the Coastal Zone Management Act (CZMA). Affirming a national interest in the protection of the nation's coastlines, this 1972 Act offered financial incentives to encourage states to develop and carry out their own management programs. A unique feature of the Act is the guarantee that federal government agencies will, with a few specific reservations, abide by approved state programs, and will take only those actions which are consistent with them.

It was fortunate that federal funds became available just as Oregon was preparing its own management program for the coast, for by 1973 the flaws in Oregon's Senate Bill 10 were apparent. Lacking provisions for coordination, financial and technical assistance, or enforcement, the bill was in effect toothless. The state legislature, as a result, enacted Senate Bill 100, a far more complete land use bill which corrected the shortcomings of its predecessor, and was, in addition, designed for future compliance with the federal CZMA of the previous year. More formally called the Oregon Land Use Act (ORS 197), Senate Bill 100 created the Land Conservation and Development Commission (LCDC), together iwth its administrative arm, the Department of

Land Conservation and Development (DLCD). The Act charged LCDC with performing these functions:

- identifying geographical areas of particular concern;
- formulating a list of statewide standards (called "Goals") which would serve as a legally binding model for the development of local Comprehensive Plans;
- in general, establishing state policy for resource management;
- coordinating local planning efforts;
- ensuring opportunity for citizen involvement;
- providing financial and technical assistance, and administering federal funds;
- resolving appeals, conflicts, and inconsistencies as an alternative to seeking redress from the courts; and
- reviewing the Comprehensive Plans of local jurisdictions and approving them if they are found to conform with statewide Goals and statutes.

In 1974 LCDC conducted more than 88 workshops and public hearings throughout the state in order to enlist citizen participation for policy formation. In December of that same year the Commission formally adopted 14 "Goals" (10 of which were essentially

the same as those enacted in Senate Bill 10 in 1969), and the following year a further Goal concerning the Willamette River Greenway was added. (Consideration of the coastal zone was purposely delayed to await completion of the report of the Oregon Coastal Conservation and Development Commission.) Finally in 1976, building on the achievement and recommendations of the recently disbanded OCCDC, LCDC adopted the final four Goals--those which dealt entirely with the coastal zone.

The following year Oregon's Coastal Management Program was approved by the Office of Coastal Zone Management of the United States Department of Commerce as fulfilling all the requirements of the Coastal Zone Management Act of 1972. The nineteen Goals became law, in force until superseded by approved local Comprehensive Plans. (Oregon's program was the second to be approved by the Secretary of Commerce; at this time of writing all but one of the 35 eligible states have chosen to participate.)

The result is a document which represents a consensus of what participating Oregonians think should be included in every Comprehensive Plan. The nineteen Goals¹ as they have

¹The nineteen Goals deal with each of the following topics, respectively: Goal 1 (Citizen Involvement), Goal 2 (Land Use Planning), Goal 3 (Agricultural Lands), Goal 4 (Forest Lands), Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources), Goal 6 (Air, Water, and Land Resources Quality), Goal 7 (Natural Hazards), Goal 8 (Recreational Needs), Goal 9 (Economy of the State), Goal 10 (Housing), Goal 11 (Public Facilities and Services), Goal 12 (Transportation), Goal 13 (Energy Conservation), Goal 14 (Urbanization), Goal 15 (Willamette River Greenway), Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources). Each Goal consists of a formal and overall statement of its intent, and a listing of standards to be met by the local jurisdiction's inventories, its Comprehensive Plan, and its implementing ordinances. Each Goal closes with a series of "Guidelines"--suggestions (which are not legally binding requirements) for the local jurisdiction's use.

evolved reflect the values which a majority of Oregon voters have confirmed to be in the broadest public interest. Twice since its adoption essential portions of Oregon's land use programs have been placed on the ballot by initiative petition. In 1976 Oregon voters affirmed their support of the state's planning program by a margin of 57 to 43 percent, and in 1978 they approved it by an even greater margin, 61 to 39 percent.

At this moment of writing, all of the elements of Oregon's Coastal Management Program are in place, except for the local Comprehensive Plans, most of which are still in the process of review by the staff of the Department of Land Conservation and Development, and other interested agencies and individuals. It is expected that the coastal Plans will be approved in the next few years.

In summary, then, Oregon's Coastal Management Program consists of these three dovetailing elements:

1. The four coastal Goals (Goals 16-19) as prepared and distributed by LCDC, together with the related procedural Goals (Goals 1 and 2);
2. The Comprehensive Plans prepared by Oregon cities and counties, which will have the force of law and will supersede the above Goals once acknowledged by LCDC to be consistent with State Goals and statutes; and
3. Existing State statutes which deal with beach access, forest practices, removal and fill

within waterways, water quality, fish and wildlife conservation, and related subjects.

THE CURRENT AND FUTURE ROLE OF LCDC

Having codified and promulgated the planning rules, the Land Conservation and Development Commission is now responsible for seeing that local jurisdictions observe the nineteen Statewide Planning Goals and incorporate their intent into the local Comprehensive Plans. As Plans are submitted, they are scheduled for a hearing before the Commission. Comments and objections are invited from interested or affected agencies and individuals.

The Commission, which consists of seven unpaid persons appointed by the Governor, meets approximately once every 45 days, usually in Salem. At each meeting, a staff report on the Plan under review is presented, objections and comments on the Plan are summarized, and additional testimony is taken. After the hearing, the Commission either "acknowledges" (i.e. approves) the Plan, or denies it, sometimes granting a "continuance" for a specified and usually brief period of time. If the Plan is acknowledged, then it supersedes the Goals as a legal document. If not, the local jurisdiction must revise it to meet standards, using the staff report as a guide.

The Department of Land Conservation and Development has a staff of trained reviewers, most of whom have a specialty in a Goal or particular set of Goals. After reviewing a Plan and all submitted comments and objections, the lead reviewer makes

a recommendation to the Commission. In the process of reviewing submitted Plans, the Department staff frequently makes refinements in policy which better clarify Goal requirements. Usually the Commission adopts both the recommendations and policy refinements of the Department staff.

It is not easy to get a Comprehensive Plan acknowledged. The Goals are exacting, Commission policy is even more so, and reviewing agencies are usually hard to please. Only about 30 percent of the original submittals are approved; the remainder are sent back for additional refinement on either outright denial or 120-day continuance. In extreme cases of negligence or default, an Enforcement Order, amounting to a mandatory moratorium on all development, is imposed.

The deadline for submission of Comprehensive Plans was July 1, 1980. Needless to say, not all jurisdictions made the deadline, though there is strong incentive to get the Plans finished and approved. Funding and technical assistance are now much reduced, and no doubt will soon be eliminated altogether. Jurisdictions which have lagged behind the deadlines will more and more be forced to use their own resources to complete the Plans. At this moment of writing, 103 out of the 277 Comprehensive Plans have been completely acknowledged. Coastal jurisdictions have in general been more resistant to planning than have the more urbanized sections of Oregon, and are further behind in Plan preparation and submittal. Most probably it will take two or three more years before all Plans are approved.

What then? Will LCDC as an agency of state government cease to exist? Will its functions be reduced to an advisory capacity,

or will it continue to monitor local jurisdictions' compliance with their own Plans, approving or denying Plan amendments as they arise? This is a topic of intense debate in the current legislative session. Three contrasting bills which deal with the future of LCDC are now in committee. One hears proposals which range from outright abolition of LCDC to continuing it in much the same role as it now has.

1000 Friends of Oregon is supporting a continuing role for the Commission to insure that future Plan amendments and implementation do not stray from the intent of the Goals. A recent study undertaken by 1000 Friends to determine whether local jurisdictions were consistently applying their own standards found widespread and frequent violations. For this reason, and others, the legislature will most likely extend LCDC's mandate to coordinate and oversee land use planning in Oregon, though possibly with a reduced role.

1000 FRIENDS OF OREGON AND ITS ROLE

1000 Friends of Oregon is a nonprofit public interest law firm founded in 1973 by its current director Henry Richmond and by then governor Tom McCall. (Actually, there are at the moment some 3,400 "friends.") Supported entirely by membership dues, contributions, and foundation grants, 1000 Friends donates legal advice and representation to individuals and agencies in cases which the Board of Directors judges to be in the public interest and likely to involve significant questions of policy or precedent. Its purpose is to monitor local and state government application of Senate Bill 100 and the nineteen Statewide Planning Goals, further defining and defending each.

Equally important is 1000 Friends' role as a guardian. Political scientists have a term called "regulatory capture," which refers to the gradual takeover of regulatory bodies by those whom they are intended to regulate. No organization which must draw its expertise from the pool of the regulated is immune to this phenomenon. Indeed, the Department of Land Conservation and Development itself has a high proportion of former local planners on its staff (nearly all of whom, it must be said, are conscientious and capable defenders of the wide public interest once freed from local political pressures). Only an independent non-governmental organization like 1000 Friends, one not responsible to special interests or to local pressures, is in a position to attempt to guard the guardians.

The nineteen Statewide Planning Goals are remarkable in their attempt to balance competing demands. They are neither pro- nor anti-growth, insisting only that growth be orderly when it occurs. 1000 Friends is unusual among public interest groups in that it shares the same perspective. Unlike many other watchdog and lobbying organizations, it is not a single-purpose organization, promoting instead a balance of interests.

The four staff lawyers of 1000 Friends work to challenge the decisions of local governments (and even LCDC itself) when they appear to be negligent in applying the Goals. 1000 Friends has prevailed in 52 of the 59 judicial rulings it has sought, and 36 of these have been precedent-setting cases. The staff lawyers are also actively involved in lobbying when the legislature is in session.

HOW I GOT THE JOB WITH 1000 FRIENDS

In the fall of 1980 word was put out that the Department of Land Conservation and Development, the administrative arm of LCDC, had secured funding for additional plan reviewers and needed them badly. Having just passed the deadline for submissions, the Department was deluged with Plans, all demanding early acknowledgment. Seeing opportunity for an internship near home, I hastened to apply. Meeting with a former MRM student at OSU who was now employed at DLCD, I afterwards arranged for a formal interview with the director of the field division.

By early December it became apparent that LCDC was not interested in hiring an intern whose stay might be temporary. Fortunately, I had already begun to explore an alternative internship, acting on a suggestion of my adviser that, given my interest in the legal aspects of coastal management, I might want to seek an internship with a law firm. Thus I was alerted to the existence of 1000 Friends, and promptly made application.

Interns were nothing new to the staff at 1000 Friends; commonly two or three could be found tucked away in corners or closets at all times. But they had never before had an intern with a coastal specialty, and the Plans of a number of seaside jurisdictions were coming up for review shortly. After speaking with the assistant director only twice by phone, I was hired sight unseen. We made arrangements for me to begin work at the beginning of January 1981. (No doubt my specialty and references

were decisive in my hiring, but I later learned that the director likes to add extra luster to the organization by employing graduates of Ivy League or other big name schools. My colleagues, I found, had graduated from Princeton, Yale, Berkeley, and the like. A degree from the University of Chicago cannot have hurt my cause in any case.)

MY WORK AT 1000 FRIENDS

Several difficulties remained to be solved before I could begin work. That very month (January 1981) I was expecting the birth of my first child, and for that event I needed a week or so off from work on the briefest of notice. In addition, since it would be impractical either to move to Portland or to commute to work, I needed to make arrangements to work at home on Fridays so that I could simultaneously attend to my family commitments. To both of these conditions the staff at 1000 Friends readily assented.

Even so, the first month on the job was chaotic. The Plans of several important coastal jurisdictions were up for review, and the deadline for comments was only a few weeks away. There was insufficient time to learn the ropes before needing to produce coherent comments (especially since the birth of my daughter on January 18 took almost a full week out of the time available), and the inevitable happened. Forced to skim the Plans with considerable haste, in bits and snatches as time came available, I

made an embarrassing blunder.

Four coastal jurisdictions were up for review: the cities of Waldport, Lincoln City, Depoe Bay, and also Lincoln County. There was time only to scan the latter three to see if they complied with Goals 16, 17 and 18.² Even with my lack of experience in reviewing Comprehensive Plans, however, it was plain that there were serious deficiencies in each, even though I was still unsure just how an objection should be phrased, or on what bases it should be made.

Particularly inadequate was the Comprehensive Plan of Depoe Bay, a small fishing and tourist village surrounding a natural harbor a few miles north of Newport. The town's inventories, its policies, and its ordinances were all insufficient to comply with the coastal Goals. In my letter of objection to acknowledgment I pointed out what deficiencies I saw.

The Oregon Estuary Classification (Oregon Administrative Rules 660-17-015(1c)) classifies Depoe Bay as a "shallow draft development" estuary.³ Somehow, I failed to notice that Depoe Bay was thus formally classified, assuming that, like all other

²Goal 19 (Ocean Resources) is a "goal" in fact as well as in name. It is recognized that the Goal asks for commitments ordinarily beyond the ability of most local governments, and compliance is not enforced.

³Other classifications are "deep draft development" for large estuaries such as Coos or Yaquina Bays, "conservation" for smaller but developed estuaries such as Netarts or Necanicum, and "natural" for small and essentially pristine estuaries such as the mouth of the Salmon River.

minor estuaries on the Oregon coast, it was classified "conservation." I therefore faulted the Depoe Bay planners for failing to provide the degree of protection suitable to a conservation estuary.

It is a common courtesy for plan reviewers to phone the local planner before the formal letter of objection is mailed and explain the nature of the objections to the Plan under review. Not only is this a courtesy, it is also a chance to correct any error which may have crept into the review. (Plan review is a tedious and exacting business, requiring much attention to detail. One's mind tends to wander and errors easily slip in.) My calls to the Lincoln County planning director, however, went unreturned. An error that would normally have been caught in conferring with a local planner thus went undetected.

The result was a flurry of irate phone calls and letters from the Lincoln County planning office protesting our objections. Under the circumstances, the appropriate response was to acknowledge my error and make a formal retraction (see appendix). The remainder of my objections to Depoe Bay's Plan, however, were still applicable and were not retracted.

The January deadline was met and my comments--however imperfect--were sent to the lead reviewer at the DLCD office. There was now a breathing space, and I used it to learn more about my job. I began by digesting policy papers distributed by LCDC and also by reading previous reviews of Comprehensive Plans that 1000 Friends had submitted. (Most of them I had read before, but such things really don't sink in until you have occasion to

use them.) I resolved that by the time of the next deadline for review of a Comprehensive Plan I would, at a minimum, have some idea of what I was doing. To the degree which time permitted, I would be more methodical in my review, and more cautious.

The next coastal jurisdictions whose Plans were up for review were Clatsop County--in the extreme northwest corner of Oregon--and also two towns within that county, Seaside and neighboring Gearhart. The Clatsop County Plan was both massive and complicated. I spent the better part of a month reviewing the intricacies of its coastal and Columbia River elements, looking at its policies, inventories, and zoning ordinances in some detail. On each of the two city plans I spent about a week--more time than would ordinarily be needed to review a small town Plan because for these I was also expected to judge compliance with two other Goals, Goal 10 (Housing) and Goal 14 (Urbanization). I had no experience in interpreting either Goal.

This time I approached the task correctly. Well in advance of the deadline date of March 30, I phoned the planning director of Clatsop County and conferred with him about the nature of my objections. He pointed out a potentially embarrassing error in my analysis, for which I was grateful. But the remainder of my objections were appropriate, and I allowed them to stand. On the day before the letter of objection was written, I accepted an invitation (together with a colleague who had collaborated with me on our letter) to meet with the planning director personally to discuss our differences. The visit included an inspection of one of the coastal sites in question.

The Clatsop County Plan was, in my opinion, a creditable job--at least so far as I could judge from examining its compliance with the coastal Goals. But it was far from perfect, and our letter of objection was critical, lengthy, and detailed (see appendix). Our meeting with the planning director was nevertheless cordial. We parted with the tacit understanding that each was merely doing his job as best he knew how.

Another deadline had passed, and my comments were submitted on time. At this moment of writing, the next coastal jurisdictions whose Plans are up for review are the Estuary Plan of Yaquina Bay and the adjoining cities of Newport and Toledo. Comments and objections are due by May 18.

There is some irony in my present situation as reviewer of the Yaquina Bay Plans. One year ago, as class leader and editor for the Port Projects class, I assembled our recommendations on development options for the Port of Toledo. I do not yet know to what degree the Port Commissioners used our recommendations in the report we submitted to them. But I can imagine having to tell them now that they cannot do what we recommended to them a year ago. Suppose the authorities in Toledo make the connection that the editor and principal author of last year's report is now one of those telling them that they cannot act on those recommendations? Perhaps I should use an alias.

I foresee yet another potentially uncomfortable situation. I do not always agree with other critics of the local Comprehensive Plans, nor indeed do I always agree with my colleagues at 1000 Friends. My job, as I see it, is not to use the nineteen Goals as a platform to promote my own ideas (or anyone else's)

about what constitutes environmental protection. Rather, it is simply this: to judge as best I can whether the elements of a Comprehensive Plan are in compliance with the coastal Goals. In my Plan review, I frequently come across features which I personally dislike and would oppose in another context. But such things must be passed over, unless they are clear Goal violations. Strict interpretation of the Goals, moreover, requires that trade-offs be made; economic development is, after all, one of the nineteen Goals, and certainly not the least important of them. The necessity of reviewing Plans for overall consistency requires a balanced perspective, one not always easy to achieve.

This need for balance occasionally puts me at odds with others whose positions require that they be single-purpose defenders of one part of the environment. In the Yaquina Bay review coming up, I may find myself in the unenviable position of having to oppose the director of the Oregon Department of Fish & Wildlife and supporting instead the local planners on a proposed experimental oyster culture facility on Yaquina Bay.

The proposal in question requires fill of a significant amount of productive and unaltered salt marsh in Yaquina Bay. That in itself is sufficient to arouse the wrath of any dedicated environmentalist. Almost everyone who wants to protect the environment can be counted on to oppose this project, for it will certainly result in a short-term degradation of the productivity of the estuary.

Yet it is also conceivable to me that the long-term benefits may outweigh the short-term costs. To oppose it without careful reflection is surely shortsighted. I lack the requisite

expertise to make a judgment on costs and benefits, and on that point I must defer to the director of ODFW and to others whom I am consulting. But at least I shall not make up my mind to oppose the project until I have heard opinions on both sides. At this moment of writing, I have not yet decided what my position will be on this issue. But in the end it will depend on whether or not I judge the project to be in compliance with the Goals.

Other projects without specific deadlines keep me occupied when I'm not reviewing a Plan up for acknowledgment review. For several weeks now, as time permits, I've been doing a draft review of the Coos Bay Estuary Plan which, because of the size of the estuary and its ports, is second only to the Columbia River estuary in commercial importance to Oregon. (A draft review differs from an acknowledgment review in that the jurisdiction solicits comment prior to a request for acknowledgment. The plan circulates without LCDC as an intermediary.)

I've also been reading a digest of Oregon court cases related to coastal zone management. Still another ongoing project is my study of the final DLCD staff report of the CREST Plan for the Columbia River. I have been extracting from it (and from other staff reports on previously submitted coastal Plans) policy formulations, both explicit and implicit, and have been preparing a file card index on them. I expect that this project and the Coos Bay draft review will carry me to the end of June, when I will terminate full-time employment with 1000 Friends in order to begin preparation for law study.

CONCLUSION

My association with 1000 Friends has been most productive. Since I am now preparing for law study with an eventual specialty in marine and natural resource law, I can hardly imagine an internship that would have provided more suitable preparation. I expect that my association with 1000 Friends will continue through my years of law study, and perhaps beyond. My employers and I have agreed that it would be of mutual advantage if I continue to review coastal Plans on a part-time consulting basis while I pursue my law studies. Funding for this purpose is available for the rest of this year, and looks promising beyond that.

To my employers for making this possible, and to my mentors and advisers for their valuable help and suggestions, I offer my thanks.