

1                                   **BEFORE THE BOARD OF COMMISSIONERS**  
2                                   **FOR LINCOLN COUNTY, OREGON**

3   ORDINANCE # 455

4 \_\_\_\_\_  
5  
6 **Relating to the ocean; amending LCC 2.4105 and 2.4110; and declaring an emergency.**  
7 \_\_\_\_\_  
8

9                   The Lincoln County Board of Commissioners ordains as follows:

10                   **SECTION 1.**

11                   LCC 2.4105 is amended to read:

12                   2.4105 Establishment of FINE Committee

13                   (1) There is hereby established a Fishermen Involved in Natural Energy (FINE)  
14 Committee, consisting of between 7 and 19 members appointed by order of the Lincoln  
15 County Board of Commissioners.

16                   (2) Committee members shall be appointed to represent the spectrum of fisheries  
17 potentially impacted by the siting of ocean wave energy facilities **or marine reserves**.

18                   (3) Committee members serve at the discretion of the Board, or until a member  
19 resigns, or until the Committee is disbanded by the Board as having completed its purposes.

20                   (4) In addition to the duties set forth in LCC 2.4110 to 2.4115, the FINE Committee  
21 shall carry out other duties as identified by order of the Board.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing ordinance to be omitted. New sections are in **boldfaced** type.

1           **SECTION 2.**

2           LCC 2.4110 is amended to read:

3           2.4110 Duties of FINE Committee Relating to Review of Ocean Wave Energy  
4           **Facility Permit Applications and Marine Reserve Nominations**

5           (1) The FINE Committee shall review all applications for a permit or preliminary  
6           permit or similar applications, licenses or other approvals for the siting of ocean wave  
7           energy facilities in the territorial sea or outer continental shelf adjacent to Lincoln County.  
8           Permits or preliminary permits include, but are not limited, any similar actions before federal  
9           or state agencies claiming jurisdiction over siting of ocean wave energy facilities.

10          (2) The Committee shall make recommendations to the Board of Commissioners  
11          relating to whether the Board should support, support with modifications, oppose, or take  
12          other action relating to each ocean wave energy facility application reviewed by the  
13          Committee.

14          **(3) The FINE Committee shall review all suggested or nominated marine**  
15          **reserves in the territorial sea or outer continental shelf adjacent to Lincoln County.**

16          **(4) The Committee shall make recommendations to the Board of Commissioners**  
17          **relating to whether the Board should support, support with modifications, oppose, or**  
18          **take other action relating to each suggested or nominated marine reserve reviewed by**  
19          **the Committee.**

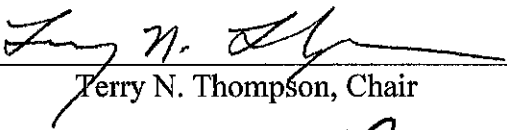
1  
2  
3  
4

**SECTION 3.**

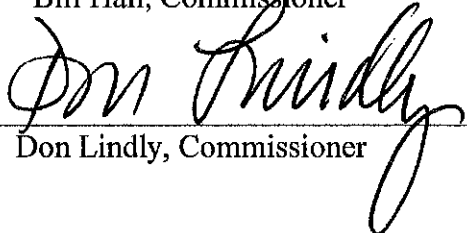
This Ordinance being necessary for the immediate preservation of the public peace,  
health and safety, an emergency is declared to exist and this Ordinance shall take effect upon  
its passage.

DATED this 3<sup>rd</sup> day of September, 2008.

LINCOLN COUNTY BOARD OF COMMISSIONERS

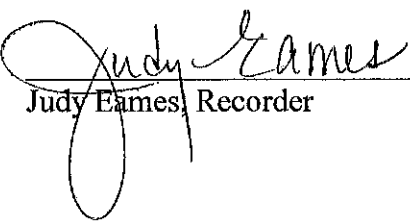
  
Terry N. Thompson, Chair

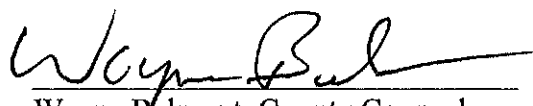
  
Bill Hall, Commissioner

  
Don Lindly, Commissioner

ATTESTED TO:

APPROVED AS TO FORM:

  
Judy Eames, Recorder

  
Wayne Belmont, County Counsel

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing ordinance to be omitted. New sections are in **boldfaced** type.