



# Oregon

John A. Kitzhaber, MD, Governor

## State Marine Board

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February 18, 2013

Senate Committee on Environment and Natural Resources  
The Honorable Jackie Dingfelder, Chair  
The Honorable Alan Olsen, Vice-Chair

RE: Testimony on Senate Bill 26

Dear Committee Chair, Vice Chair and Members,

Senate Bill 26 would modify two sections of ORS Chapter 830, *Small Watercraft*. The first proposed change would amend ORS 830.137 (1) to specifically authorize the Marine Board the ability to award grants of federal funds received from the US Fish & Wildlife Service through the federal Boating Infrastructure Grant (BIG) Program.

The second proposed change would amend ORS 830.150 (1) to allow federal agencies, (i.e. US Forest Service, Army Corp of Engineers and Bureau of Land Management) to apply directly to the Marine Board for Boating Facility grants instead of having to apply through an Oregon county.

### **Background relating to amendment to 830.137 (1)**

In 1995, the Oregon Legislature amended ORS 830.137 and authorized the Marine Board to award grants from funds received through the Clean Vessel Act, a newly enacted program by the US Congress.

Subsequently, in 1998, the US Congress passed the Sportfishing and Boating Safety Act which established another grant program called the BIG Program. The BIG Program was created to provide funding assistance to construct docks and associated infrastructure improvements, such as gangways, piling, and utilities that serve the needs of recreational boats that are 26' in length and longer.

While the Clean Vessel Act and BIG Program funds both originate from the US Congress and fall under the same jurisdiction of US Code, current language in ORS 830.137 does not specifically authorize the Marine Board to award BIG Program grants. This amendment would clarify any ambiguity which may arise related to the Marine Board's "power and duty" to award grants of federal funds.

### **Background relating to amendment to 830.150 (1)**

ORS 830.150 lists the entities that are eligible to apply to the Marine Board for grant funds which can be used for a wide variety of boating improvements such as launch ramps, docks, parking areas, and restrooms.

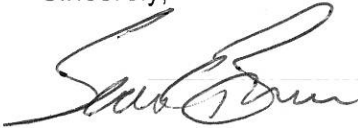


The current language limits applicants to state agencies, cities, counties, water improvement districts, park and recreation districts, and public ports. Federal agencies (i.e. US Forest Service, Army Corp of Engineers and Bureau of Land Management) cannot apply directly to the Board for grants, even though they manage as many as one-third of all public boating sites in Oregon.

To award grants for improvements at these federally managed boating sites, the Marine Board allows counties to apply for the grant assistance on their behalf. Grant agreements, amendments, reimbursement payments, and all required paperwork must filter through the sponsoring county, on behalf of the federal agency. This practice, which has been in effect for years, is becoming burdensome to budget-challenged counties. Senate Bill 26 would allow federal agencies the ability to apply for grant funds directly to the Marine Board.

Please allow me to address any questions you may have.

Sincerely,

A handwritten signature in cursive script, appearing to read "Scott Brewen", written over a horizontal line.

Scott Brewen, Director