

HB 3193 STAFF MEASURE SUMMARY

House Committee On Agriculture and Natural Resources

Action Date: 04/18/17

Action: Do pass and be referred to Ways and Means by prior reference

Vote: 8-0-1-0

Yeas: 8 - Barreto, Clem, Esquivel, McKeown, McLain, Power, Smith DB, Witt

Exc: 1 - Sprenger

Fiscal: Fiscal impact issued

Revenue: Revenue impact issued

Prepared By: Misty Freeman, LPRO Analyst

WHAT THE MEASURE DOES:

Repeals current statutes relating to kelp harvesting from any submerged lands owned by the State of Oregon (ORS 274.885-895). Requires permit to harvest or remove seaweed for commercial purposes. Directs Oregon Department of Fish and Wildlife (ODFW) to develop permit program for small-scale commercial hand harvests of seaweed for human consumption after consulting with Oregon Departments of State Lands (DSL) and Oregon Parks and Recreation Department (OPRD). Directs ODFW to develop rules for permit program including conditions for approval, schedule of fees, process for annual review of permitted activities and other necessary provisions. Allows ODFW to exempt certain harvest amounts from permit requirements. Establishes Seaweed Harvest Permit Program Account and directs permit fees to be deposited into account. Authorizes ODFW to enter into memorandum of agreement with DSL and OPRD for purposes of permitting across agency jurisdictions.

ISSUES DISCUSSED:

- Explanation and example of small-scale commercial hand harvests of seaweed
- Oregon Department of Fish and Wildlife regulation of species rather than location
- Permit process and regulation of rocky, intertidal areas

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Harvesting kelp and other seaweed from the submerged lands owned by the State of Oregon requires a lease from the Oregon Department of State Lands (DSL). The statute requires that the lessee survey the leased area and provide information about the amount and condition of kelp in the area to DSL within six months of entering into the lease. The lessee must also erect a plant and commence operations within 12 months. There is an exemption from lease requirements for a person harvesting less than 2,000 pounds of wet kelp per year for human consumption and for personal use.

House Bill 3193 would repeal statutes allowing DSL to lease submerged lands for commercial kelp harvesters and would replace the lease system with a permitting program for small-scale commercial hand harvests of kelp and other seaweed. The bill would direct the Oregon Department of Fish and Wildlife (ODFW), in consultation with DSL and OPRD, to develop and implement the permit program. The measure would remove the personal use exemption for harvesting up to 2,000 pounds of wet kelp each year for human consumption and would authorize ODFW to determine harvest amounts to be exempted from permitting requirements.