

HB 2784 A STAFF MEASURE SUMMARY

House Committee On Agriculture and Natural Resources

Action Date: 04/18/17

Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

Vote: 8-0-1-0

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

Exc: 1 - Sprenger

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Misty Freeman, LPRO Analyst

WHAT THE MEASURE DOES:

Requires prospective cultivator of oysters, clams or mussels (shellfish) confer with Oregon Department of Agriculture (ODA) and appropriate local, state and federal agencies prior to application. Details requirements for preapplication conference and appropriates \$200,000 out of General Fund for biennium beginning July 1, 2017 to ODA for this purpose. Authorizes ODA to periodically review shellfish plats and enforce withdrawal of unproductive lands. Directs Department of State Lands (DSL) to coordinate and enter into agreement with ODA to develop recommendations to update DSL process for permitting commercial cultivation of shellfish. Requires DSL to submit report on agreement and recommendations to Legislative Assembly no later than September 15, 2018. Directs Department of Land Conservation and Development (DLCD) to coordinate with State Service Center for Geographic Information Systems to develop data system for estuaries that includes geographic information system (GIS) data to provide to local governments and to inventory existing encumbrances on state-owned tidelands. Appropriates to DLCD for this purpose \$200,000 from General Fund for biennium beginning July 1, 2017. Requires ODA to conduct study on actions necessary for commercial cultivation of shellfish on lands owned by counties and port districts to be subject to regulatory authority of ODA and directs ODA to submit report on results of study to Legislative Assembly by September 15, 2017. Appropriates to ODA for this purpose \$900,000 from General Fund for biennium beginning July 1, 2017. Clarifies ODA must consult with Department of Environmental Quality and appropriate local and state agencies, commercial shellfish industry and nongovernmental organizations for pilot program and must prioritize high demand areas and identify cost-effective methods for water quality monitoring and analysis. Appropriates to ODA for this purpose \$50,000 from General Fund for biennium beginning July 1, 2017. Directs Oregon Department of Fish and Wildlife (ODFW) to coordinate with stakeholders and ODA to conduct ecosystem modeling to investigate cumulative impacts of commercial cultivation of shellfish and maximum capacities of state estuaries for such activities. Directs ODFW to submit report on results of ecosystem modeling by September 15, 2017. Appropriates to ODFW for this purpose \$130,000 from General Fund for biennium beginning July 1, 2017. Directs ODFW to consult with partners and report to Legislative Assembly biennially on suggested legislation or other actions necessary to manage aquatic invasive species. Requires Ocean Policy Advisory Council to develop recommendations to Land Conservation and Development Commission regarding Territorial Sea Plan and siting of viable pilot projects for commercial cultivation of shellfish. Directs ODFW to research, develop and document best management practices for commercial cultivation of shellfish and make available as guide for ODA-regulated plats. Appropriates to ODFW for this purpose \$150,000 from General Fund for beinnium beginning July 1, 2017. Directs ODFW to adopt harmful algal bloom monitoring and alert program and appropriates \$350,000 to ODFW for this purpose for the biennium beginning July 1, 2017. Directs ODFW to consult with ODA and other partners to develop and conduct baseline survey of commercial shellfish industry in Oregon and prescribes parameters. Requires ODFW to administer survey once every five years to measure commercial shellfish industry growth and stability against baseline data. Appropriates to ODFW for this purpose \$80,000 from General Fund for biennium beginning July 1, 2017. Directs ODA to conduct

HB 2784 A STAFF MEASURE SUMMARY

study on marketing and sales opportunities to improve commercial shellfish industry of Oregon. Requires ODA to submit report to Legislative Assembly by September 15, 2017. Appropriates to ODA for this purpose \$50,000 from General Fund for biennium beginning July 1, 2017. Directs ODFW to research and report on economic value of ecosystem services provided by Oregon's estuarine shellfish resources and submit results to Legislative Assembly by September 15, 2017. Appropriates to ODFW for this purpose \$60,000 from General Fund for biennium beginning July 1, 2017. Authorizes Restoration and Enhancement Board to spend moneys on enhancement activities that include access for recreational taking of shellfish. Directs Oregon Fish and Wildlife Commission to adopt collaborative public shellfish monitoring program for ODFW to collaborate with stakeholders to study shellfish stocks, collect data on habitat and fisheries and conduct public outreach and education related to shellfish. Appropriates to ODFW for this purpose \$50,000 from General Fund for biennium beginning July 1, 2017. Directs ODFW to collaborate with ODA and other stakeholders to study impacts of nonnative shellfish species on wild stocks of native shellfish and on commercial cultivation of shellfish. Requires ODFW to submit report to Legislative Assembly by September 15, 2021. Appropriates to ODFW for this purpose \$100,000 from General Fund for biennium beginning July 1, 2017. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Oregon Shellfish Initiative Task Force, House Bill 2209 (2015)
- Recommendations related to research, algal blooms, ocean acidification, breeding programs, and more
- Request for state funding for long-term program

EFFECT OF AMENDMENT:

Replaces original measure.

BACKGROUND:

House Bill 2209 (2015) created the Oregon Shellfish Task Force, an 11-member group comprised of stakeholders from the Governor's office, the Oregon Department of Agriculture, the shellfish industry, Oregon State University, Oregon Indian Tribes, and others. The Task Force was responsible for developing a draft Oregon Shellfish Initiative, a report which included recommendations to help enhance and expand cultivated shellfish production; conserve, protect and restore wild populations of native shellfish; and improve water quality and the health of aquatic and marine habitats.

House Bill 2784A enacts many of the recommendations proposed by the Oregon Shellfish Task Force and appropriates moneys from the General Fund for a variety of programs and studies to support the stated goals of the Oregon Shellfish Initiative.