

A-Engrossed
House Bill 3234

Ordered by the House April 24
Including House Amendments dated April 24

Sponsored by COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Directs State Department of Fish and Wildlife to conduct study on health of shellfish populations in this state. Requires report to be submitted to interim legislative committees related to environment and natural resources no later than September 15, 2017.]

[Sunsets on date of convening of 2018 regular session of Legislative Assembly.]

Makes certain appropriations for activities related to shellfish.

Declares emergency, effective *[on passage]* **July 1, 2017.**

A BILL FOR AN ACT

1
2 Relating to shellfish; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. In addition to and not in lieu of any other appropriation, there is appropri-**
5 **ated to the Higher Education Coordinating Commission for distribution to Oregon State**
6 **University, for the biennium beginning July 1, 2017, out of the General Fund, the amount of**
7 **\$570,000, to be expended for the Molluscan Broodstock Program at the Hatfield Marine Sci-**
8 **ence Center in conjunction with the Whiskey Creek Shellfish Hatchery.**

9 **SECTION 2. In addition to and not in lieu of any other appropriation, there is appropri-**
10 **ated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,**
11 **out of the General Fund, the amount of \$25,000, for the purpose of convening a summit with**
12 **coastal regional partners for the sharing and synthesis of existing information about eelgrass**
13 **and shellfish ecology.**

14 **SECTION 3. In addition to and not in lieu of any other appropriation, there is appropri-**
15 **ated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,**
16 **out of the General Fund, the amount of \$30,000, to be expended for the purpose of developing**
17 **an educational process to assess and address the displacement of recreational clam**
18 **harvesters from oyster plantations and claims and plats of lands for the cultivation of**
19 **oysters, clams or mussels.**

20 **SECTION 4. In addition to and not in lieu of any other appropriation, there is appropri-**
21 **ated to the Higher Education Coordinating Commission for distribution to Oregon State**
22 **University, for the biennium beginning July 1, 2017, out of the General Fund, the amount of**
23 **\$280,000, which may be expended for monitoring the effects of ocean acidification and con-**
24 **ducting ocean acidification research at the Whiskey Creek Shellfish Hatchery.**

25 **SECTION 5. In addition to and not in lieu of any other appropriation, there is appropri-**
26 **ated to the State Department of Agriculture, for the biennium beginning July 1, 2017, out**

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

1 of the General Fund, the amount of \$30,000, which may be expended on activities related to
2 assessing:

3 (1) The economic effects of ocean acidification on the commercial cultivation of oysters
4 in Oregon; and

5 (2) The benefits of research and outreach activities to assist the commercial oyster cul-
6 tivation industry in addressing the economic effects of ocean acidification.

7 **SECTION 6.** In addition to and not in lieu of any other appropriation, there is appropri-
8 ated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
9 out of the General Fund, the amount of \$80,000, to be expended for conducting a preference
10 survey of recreational shellfish harvesters for the purposes of:

11 (1) Determining the needs, values, demographics and behavior of recreational harvesters;

12 (2) Evaluating the economic impacts of recreational shellfish harvesting; and

13 (3) Identifying alternatives for improving management policies for recreational shellfish
14 resources.

15 **SECTION 7.** In addition to and not in lieu of any other appropriation, there is appropri-
16 ated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
17 out of the General Fund, the amount of \$150,000, to conduct outreach and education related
18 to recreational shellfish harvesting.

19 **SECTION 8.** In addition to and not in lieu of any other appropriation, there is appropri-
20 ated to the Department of State Police, for the biennium beginning July 1, 2017, out of the
21 General Fund, the amount of \$150,000, for:

22 (1) Enforcement activities related to shellfish under the wildlife laws and rules adopted
23 under the wildlife laws, the commercial fishing laws and rules adopted under the commercial
24 fishing laws and ORS 622.010 to 622.180; and

25 (2) Collaborating with federally recognized Oregon Indian tribes to identify opportunities
26 for cross-jurisdictional coordination and enforcement of laws related to shellfish.

27 **SECTION 9.** In addition to and not in lieu of any other appropriation, there is appropri-
28 ated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
29 out of the General Fund, the amount of \$120,000, to coordinate with the Department of
30 Transportation, the State Parks and Recreation Department and port districts to conduct
31 maintenance and infrastructure improvements that will serve to increase opportunities for
32 recreational shellfish harvesting.

33 **SECTION 10.** In addition to and not in lieu of any other appropriation, there is appropri-
34 ated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
35 out of the General Fund, the amount of \$50,000, to work with public elementary and sec-
36 ondary schools and port districts to develop outreach and educational signs that inform the
37 public about shellfish, to be posted at key public beach access sites for five bays in this state.

38 **SECTION 11.** In addition to and not in lieu of any other appropriation, there is appropri-
39 ated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
40 out of the General Fund, the amount of \$180,000, to conduct shellfish stock assessments and
41 to contract with commercial scuba divers, as necessary, to assist in conducting shellfish
42 stock assessments and subtidal surveys.

43 **SECTION 12.** In addition to and not in lieu of any other appropriation, there is appropri-
44 ated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
45 out of the General Fund, the amount of \$300,000, to be used for collaborating with members

1 of the academic community on bay clam population connectivity and recruitment research,
2 for the purpose of improving the department's regulations for the harvest of bay clams in
3 this state.

4 **SECTION 13.** In addition to and not in lieu of any other appropriation, there is appro-
5 priated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
6 out of the General Fund, the amount of \$180,000, to conduct creel surveys and fishery-
7 dependent monitoring of recreational and commercial harvesting of bay clams and razor
8 clams in Tillamook Bay, the central coast area from Cascade Head to Florence and the south
9 coast area from Winchester Bay to the California border.

10 **SECTION 14.** In addition to and not in lieu of any other appropriation, there is appro-
11 priated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
12 out of the General Fund, the amount of \$160,000, to monitor and analyze recreational and
13 commercial fisheries statistics on clam harvesting for the purpose of making timely adjust-
14 ments to harvest regulations.

15 **SECTION 15.** In addition to and not in lieu of any other appropriation, there is appro-
16 priated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
17 out of the General Fund, the amount of \$60,000, to conduct a review and analysis of permits
18 issued by state agencies and local governments that affect intertidal and subtidal habitats in
19 bays and estuaries in this state for the purpose of improving the ability to incorporate new
20 information and historical data in future permit reviews and in complex resource decisions
21 affecting bays and estuaries.

22 **SECTION 16.** In addition to and not in lieu of any other appropriation, there is appro-
23 priated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
24 out of the General Fund, the amount of \$50,000, to be expended for efforts, in collaboration
25 with federally recognized Oregon Indian tribes and nongovernmental entities, to protect and
26 conserve the three known populations of Olympia oysters in bays and estuaries in this state.

27 **SECTION 17.** In addition to and not in lieu of any other appropriation, there is appro-
28 priated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2017,
29 out of the General Fund, the amount of \$600,000, to be expended for collaborating with the
30 State Department of Agriculture, representatives of the shellfish industry and members of
31 the academic community to conduct collaborative work to restore viable populations of
32 Olympia oysters, native littleneck clams, red abalone, flat abalone and pinto abalone in this
33 state and to protect the restoration and enhancement sites for the species for a sufficient
34 period to allow for the species' populations to recover.

35 **SECTION 18.** This 2017 Act being necessary for the immediate preservation of the public
36 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
37 July 1, 2017.

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