

Amanda Milks
Astoria, OR

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Senate Committee on Environment and Natural Resources

To whom it may concern,

I am writing in opposition to OR Senate bill 1025, which will increase fees and place additional limitations on commercial clam harvest in Oregon.

The Summary of OR SB 1025 is very concerning to me. In reading the summary, I do not see anything to specify which clam species the bill attempts to protect, or which specific sections of the OARs the proposal seeks to modify, other than 508.116 which concerns fees.

I am concerned with many features of this bill, but I am most worried about the way that this bill is worded, without specificity to different clam fisheries, which will put blanket restrictions on harvests state-wide that are not appropriate for all intertidal clam species and harvest areas. One example is the prohibition of harvesting clams on any sand bar – razor clams live almost exclusively on sand bars, that are exposed only at low tide. Would this modification of the OARs be so far-reaching that it would prohibit what is virtually the only way to successfully harvest razor clams? Another is the prohibition of any method other than diving – diving doesn't apply at all to some species of clams that would be covered by the new laws. I have read the attached testimonies in support of the bill, citing reduced population of cockles and gaper clams in the Tillamook Bay and I caution you against using the personal observation of a group of three recreational harvesters as support for a decision in favor of this bill. Clam lifespans vary by species, and can be shortened for a number of reasons that could very easily lead to reduced size and population, and to shells left on the bay floor. According to a Yale study (web address linked below), "Ocean acidification — ...makes it difficult for shellfish, corals, sea urchins, and other creatures to form the shells or calcium-based structures they need to live." Large shellfish die-offs have occurred in most- if not all - shellfish species up and down the Pacific Coast at one point or another, for reasons other than harvesting practices. It would be imprudent to assume that 1. There is, in fact, a die-off in excess of normal, natural amounts, and 2. That this die-off is surely caused by commercial harvesters. I urge you to practice due diligence in studying both the normal biology of the clam species that would be impacted by this bill, and the causation by which they are expiring.

As far as harvest practices go, my observations as a commercial clam harvester are much different than those presented by the proponents of this bill who have provided testimony. I am on the beach a lot during razor clam season, and I see commercial harvesters acting responsibly to maintain the resource that provides their families with income. They don't typically smash shells or carelessly dispose of the undersize clams they pull up. I do often see recreational clam harvesters who do not take steps to protect the resource. On the Clatsop beaches on low tide days, there are vehicles parked almost door to door up and down the beach, with plates from all our neighboring states. There might be 50-75 commercial harvesters on the beach on a good day, between Fort Stevens and Tillamook Head, but there are thousands of recreational harvesters. I have watched people take limits, walk to their truck, drop it off, and come back for another limit, every single time I have been on the beach digging. I have seen countless crushed juvenile clams high on the beach near the clam gun holes. The ODFW estimates that commercial harvesters take 15% of the total razor clams on Oregon beaches, meaning that

recreational diggers take the other 85%. If there is a need for tighter regulation and ramped up enforcement, it is in the recreational sector. Likewise, if there is a need for increased revenue to support increased oversight and enforcement, it may be more prudent to increase by a small amount the price of the **253,819** (ODFW 19-21 budget, linked below) recreational shellfish licenses anticipated to be issued per year, rather than increasing business costs and reducing both net revenue and taxable income for the state, for the 4,177 people who the ODFW estimates will pay for commercial fishing licenses in 2019-21 (not all shellfish, but the ODFW budget doesn't separate by type, so that number is almost certainly lower – for illustration purposes, I am giving it the benefit of the doubt). To generate the same \$1,044,250 per year that a \$250 increase in a commercial shellfish license would generate over 4,177 annual purchasers, the cost of a recreational shellfish license could be increased by only \$4.11.

As it stands, commercial shell harvesters have to not only pay \$125 for the shellfish harvest license, they must also be in possession of a current Oregon commercial fishing license, costing \$102. If the harvester sells for human consumption, the ODA sanitation certificate is another \$125. My husband and I operate a family clam harvesting business, and recently paid \$704 to purchase these three licenses, times two, when the razor clam season opened on March 1, 2019. A week later, March 8th, the season was closed due to domoic acid levels and we hadn't even had the chance to recoup our business expenses. This hurts as it is. Increasing costs for licensure would increase the amount by which we and many other families are gambling with our livelihoods each year, **IF** we could even continue to harvest under the new restrictions. It is hard enough to make ends meet in this era. I love Oregon, my home, for being one of the last places people can live off the land, through hard work and grit, and each year, this becomes less and less of a reality. I'm a fourth generation Oregonian, and a fourth generation commercial clam harvester, and reading this bill summary wounds me to the core. For those sponsoring this bill – please reconsider your stance and remain in solidarity with working Oregonians. I urge you all to vote no on Oregon SB 1025.

Thank you for your consideration,

Amanda Milks
MBA, Senior Business Systems Analyst, Commercial Fisherman, Lifetime Oregonian

Links:

Yale Study, ocean acidification: https://e360.yale.edu/features/northwest_oyster_die-offs_show_ocean_acidification_has_arrived

ODFW 19-21 Budget Documents (revenues pdf cited)
https://www.dfw.state.or.us/agency/budget/2019-21_budget.asp