

HB 2574 A STAFF MEASURE SUMMARY

House Committee On Natural Resources

Action Date: 04/09/19

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

Vote: 7-0-0-0

Yeas: 7 - Barreto, Gorsek, McKeown, Reardon, Smith DB, Sprenger, Witt

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 3/21, 4/9

WHAT THE MEASURE DOES:

Requires Department of Land Conservation and Development (DLCD) receive, consolidate, and organize public records of federal, state, or local government concerning shellfish mariculture in Oregon. Requires DLCD to collect public records, including: estuary management plans; estuarine habitat technical information; native shellfish beds; commercial plats; fish and wildlife use; ongoing recreation and commercial use; ownership information regarding tidelands; encumbrances on state-owned tidelands; and land use plans and zoning for estuaries. Requires DLCD organize data and materials into suitable format for stakeholder access. Requires DLCD make output from information system publicly accessible except that access to records exempt under statutes (ORS 192.345 and ORS 192.355) is conditional upon receipt of permission from public body that originally generated public record. Appropriates \$200,000 from General Fund to DLCD to be expended on establishment and administration of program. Requires prospective applicants for cultivation of oysters, clams, or mussels to participate in preapplication conference with Oregon Department of Agriculture (ODA) and other appropriate local, state, and federal agencies at least 30 days prior to filing application. Requires prospective applicant provide ODA with adequate information to prepare for preapplication conference at least 14 days before preapplication conference. Requires ODA and other appropriate local, state, and federal agencies at preapplication meeting to: inform prospective applicant of statutes, administrative rules, local ordinances, and other requirements; discuss projected revenue data based on information provided by prospective applicant and other data; and assist prospective applicant by identifying known issues affecting likelihood that prospective applicant can meet conditions required by permit. Allows prospective applicant to request additional preapplication consultation with ODA. Appropriates \$200,000 from General Fund to ODA to be expended on work related to preapplication conferences, for biennium beginning July 1, 2019. Requires Oregon Department of Fish and Wildlife (ODFW) establish and administer program for community outreach and education regarding opportunities for recreational harvest of shellfish. Requires ODFW make information readily available through: Internet; regulatory signs; brochures, maps, and other printed materials; workshops and clinics; and special outreach events. Requires ODFW cooperate with Indian Tribes and the Oregon State Police in effort to enhance enforcement of commercial and recreational shellfish catch limits. Appropriates \$160,000 from General Fund to ODFW to be expended on administration and enforcement of program. Declares emergency, effective July, 1 2019.

ISSUES DISCUSSED:

- Agency collaboration
- Previous failure of oyster seed mariculture
- Shellfish task force recommendations
- Cost to implement recommendations and priorities

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EFFECT OF AMENDMENT:

Requires Department of Land Conservation and Development receive, consolidate, and organize public records related to shellfish mariculture in Oregon. Requires Oregon Department of Agriculture (ODA) allow for a preapplication applicant process for persons cultivating oysters, clams, or mussels. Appropriates \$200,000 from General Fund to ODA to be expended on conducting preapplication conferences.

BACKGROUND:

In 2015, the Oregon Legislative Assembly enacted House Bill 2209 which established a Task Force on Shellfish. This Task Force produced the Oregon Shellfish Initiative outlining priorities and implementing strategies to enhance shellfish production. In 2017, the Legislative Assembly enacted House Bill 2784, establishing the Oregon Department of Agriculture (ODA) as the lead agency responsible for administration of oyster, clam, and mussel production. House Bill 2784 also established an ODA statewide pilot project to increase frequency of water quality monitoring. In 2017, the House Committee on Agriculture and Natural Resources considered House Bill 3234 which would have provided funding for a variety of activities designed to support the goals of the Oregon Shellfish Initiative.

House Bill 2574 A would appropriate funds to the Department of Land Conservation and Development, ODA, and the Oregon Department of Fish and Wildlife for the purposes of establishing a shellfish information system, an enforcement program, and an educational program.