



Oregon

COASTAL NOTES

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CALENDAR:

The next OCZMA meeting is scheduled for Thursday and Friday, May 2 and 3, 1991, at the Association Center in Salem, Oregon. Meeting materials will be sent out a week prior to the meeting date.

Corrections:

Last week's edition of *Coastal Notes* was incorrectly identified as: Vol. 3, No. 6, March 1, 1991. The correct identification was: Vol. 3 No. 8, March 22, 1991. We regret the error.

Polystyrene Floatation Devices Bill passed out of Senate committee with amendments

Senate Bill 261, which was introduced by the Joint Interim Committee on Environment, Energy and Hazardous Materials, was discussed in one public hearing and at the final work session last Monday, March 25, and was passed out of the Senate Agriculture and Natural Resources Committee with amendments.

The original bill called for the encapsulation of submersible polystyrene devices on docks, buoys and floats within three years of the enactment of the legislation. This would have included all polystyrene floatation devices currently in use, and those newly installed. The Oregon State Marine Board is responsible for adopting rules and carrying out the provisions of the measure.

The bill provides a response to growing concern by the public about the harmful effects of polystyrene and other plastics in the marine environment. Annex V of the International Marine Pollution (MARPOL) Treaty, which was enacted in 1988, made it illegal to dispose of any plastic trash at sea or in any navigable waters of the U.S. In Oregon, the Pacific Marine Fisheries Commission's Marine Debris Project, administered by Fran Recht, was instrumental in establishing port recycling programs and educational programs to assist vessels in complying with the provisions of Annex V.

Testimony from the Oregon Department of Fish and Wildlife noted that Oregon had been an early leader in the effort to reduce plastics and other wastes from the environment. Oregon's first annual coastal beach cleanup program began in 1984, and in 1989, Oregon joined with other coastal states in a coordinated program to inventory wastes picked up during beach clean-up activities. In 1989, 62% of the material cleaned up from the beach was some kind of plastic. Of this plastic, 13% was polystyrene--or styrofoam--material.

A similar trash inventory of the Willamette River system was conducted by the Environmental Learning Center after the 1989 clean up of beaches and other river bed areas including Lake Oswego, Swan Island and Columbia Slough. Approximately 65% of the trash was plastics, and of this 70% was "spheroidal expanded foam" which is typical of "bead-board" polystyrene floatation devices.

Testimony was provided in the form of a memorandum from the U.S. Army Corps of Engineers, Mobile District, dated August 13, 1987 which set guidelines for Lakeshore Management Plans and called for all new docks to have floatation devices made of material which would not become waterlogged or sink when punctured. "Closed cell (extruded) expanded polystyrene of good quality and manufactured for marine use will be required." Floatation material

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Polystyrene Flotation Devices Bill

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made of "bead-board" construction has a life expectancy of 5-7 years and has a tendency to break down into small particles. In a 1989 memorandum to all lessees having marina facilities, the Mobile District of the Army Corps of Engineers said that it was "considering the possibility of requiring that floatation used in all new docks, and all replacement docks be either a product other than the "beaded" foam, such as extruded polystyrene, or if the beaded foam is used, that it be encased in a more durable material."

A document from the Sacramento, California, District Corps of Engineers from July 1986 also required small berthing facilities to use encased expanded polystyrene floatation devices in polyvinyl or lightweight concrete. Extruded polystyrene was not required to be covered unless it was used in a fuel float. The Sacramento district also required floatation devices to be securely fastened.

After looking at the testimony and calling a subgroup to work on the bill, SB 261-4 amendments were drafted. The amendments define the term "submersible polystyrene device" as any molded or expanded type of polystyrene foam used for floatation. (This is the "beaded" foam.) The bill is also amended to allow repair and maintenance of a dock or float existing on the effective date of the bill with an expanded submersible polystyrene device. Thus, "grandfathering" existing structures. The State Marine Board will adopt rules to outline what types of encapsulation devices are acceptable, as well as for the maintenance of existing polystyrene floatation devices.

The engrossed version of SB 261 will go to a floor vote in the Senate, and if passed by the House, would go into effect in January of 1992.

—*Mara Brown*
Legislative Fellow

Pacific Whiting Update:

The Pacific whiting allocation recently approved by the Pacific Fishery Management Council has been forwarded to the Oregon Secretary of Commerce. The allocation calls for:

- 104,000 metric tons to vessels that catch and process aboard.
- 88,000 metric tons to vessels that catch but do not process aboard.
- 36,000 metric tons for a reserve to be allocated later, but with priority for vessels that deliver to shoreside plants.

Voluntary conditions negotiated with the salmon industry and approved by the Council with each of the above groups independently accountable for their actions:

- That each vessel in the fishery be a signed party of the industry's salmon bycatch management plan.
- That each of the three groups salmon bycatch on a cumulative basis be less than

.05 salmon per metric ton of whiting.

- That each group take measures necessary to police themselves to ensure adherence to the agreement.
- That each vessel over 125 feet carry a National Marine Fisheries Services (NMFS) observer 100 percent of the time.
- That observer reports be submitted to NMFS weekly or more frequently if requested.
- That vessels refrain from fishing at night or in a 12-mile square around the mouth of the Klamath River and a 10-mile square around the mouth of the Columbia River.

A request by the California Department of Fish and Game that no whiting be harvested south of the 39 degree north latitude was not agreed to and may result in legal action.

—*Jay Rasmussen*

Source: Midwater Trawlers Cooperative newsletter of March 18, 1991

Joint Trade and Economic Development Committee hears SB 713

The Joint Trade and Economic Development Committee, chaired by Senator Wayne Fawbush (D-Hood River), held a work session Monday, March 25, 1991, on SB 713 which would create a Rural Oregon Leadership Development Act

The goal of the legislation is to provide rural communities assistance in assessing their economic opportunities and planning for long-term economic development as well as being able to participate in state economic development programs. The bill defines "rural area" as including areas located entirely outside of the acknowledged Portland Metropolitan Area Regional Urban Growth Boundary and the acknowledged urban growth boundaries of the Cities of Eugene, Springfield, Keizer, Salem and Medford. "Rural community" means a community located in a rural area.

The rural leadership bill authorizes the Oregon Economic Development Department (OEDD) to enter into contracts with a qualified person to carry out the provisions of the Act. That person will be responsible for planning, coordinating and implementing the rural revitalization and leadership development program.

As presented by the Committee, the Rural Development Institute would be a private, non-profit corporation established with assistance from OEDD. The Institute's Board of Directors would have representatives from rural Oregonians, business leaders, OSU Extension Service, University of Oregon, OEDD, and others. The Institute will have the authority to hire an executive director, select participating communities, review and approve service contracts, develop and review programs, and raise funds.

The Institute would not provide direct funding for community development projects but would serve as a "capacity-building" entity. To carry out its work, the Institute would seek financing from four major sources: private businesses; the state; private foundations; and participating communities.

Members of the Committee had some concerns about the bill. Senator Jeannette Hamby (R-Hillsboro) stated that most of the leaders from rural communities that she had come into contact with had in fact been very effective and that perhaps they had benefitted from the small community size. Senator Jim Hill (D-Portland) expressed concerns that there are other communities in

Bill authorizes Rural Development Institute

In order to facilitate SB 713, the Trade and Economic Development Committee presented a plan for a Rural Development Institute with the following goals, as adapted from the Trade Committee staff summary:

Community Development: Provide rural communities with a "SWOT" (Strengths, Weaknesses, Opportunities, and Threats) analysis. The OEDD Community Initiatives Program contracted for SWOTS for 50 communities participating in its program this biennium.

Strategic Planning: Work with the communities to evaluate the SWOT analysis and develop short and long range strategic plans for growth.

Technical Assistance: Professional staff of the Institute would provide technical assistance to the communities in need or those engaged in their strategic plan. The Institute would also direct communities to other resources located in the state, colleges and universities, or in the private sector.

Community Leaders: The Institute will provide training to individuals from the participating communities as well as other rural residents who have the potential to become leaders. The training will, among other functions teach: effective management skills, conflict resolution, consensus building methods, functions of local, state and national government, and effective communication skills. The leadership training will also expose them to regional, national and international issues that affect rural areas.

Oregon such as minority communities that would benefit from such a leadership and economic development program. Minority communities located within urban growth boundaries are not covered under the definitions in the bill. The next public hearing on this bill has not been scheduled.

—Mara Brown
Legislative Fellow

Senate Ways and Means Subcommittee Works on shellfish legislation

The Ways and Means Natural Resources Subcommittee held a work session March 15, 1991 on SB 247, a bill requiring an annual license to angle for shellfish

There is a minor commercial fishery of crayfish in the state, mostly occurring in the central or Eastern parts of the state.

A commercial license is needed for these activities, and they are enforced by the Fish and Game Enforcement Division of the Oregon State Police.

Representative Bob Shiprack (D-Beavercreek) was supportive of the move to exclude crayfish, commenting, "There has got to be something free left in this state."

Sen. Fawbush disagreed respectfully to this comment from his fellow committee member and added that there is a good market out there for

crayfish. Furthermore, Sen. Fawbush added that a license is both a form of revenue and a control mechanism for any resource.

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Kay Brown from ODFW said that the Department was beginning to do research on crayfish, and there are about 2,000 pounds harvested annu-

ally at this time. The amendment to exclude crayfish was adopted, with Sen. Fawbush dissenting, and the bill was moved to the full committee with a "do pass" recommendation.

The issue of whether there would be any attempt to dedicate the fees from recreational shellfish licenses was left untouched.

Subsequently, the fee bill died in full Ways and Means Committee on an 8-8 tie vote with two senators voting no (Hannon and Yih) and two representatives voting in the affirmative (Shiprack and Van Vliet).

—Mara Brown
Legislative Fellow

Fishing Rock Headland Preservation well received

The Senate Agriculture and Natural Resources Committee heard a bill Wednesday, March 20th, sponsored by Senator John Brenneman (R-Newport) and Representative Hedy Rijken (D-Newport) to appropriate general fund money to the State Parks and Recreation Department for purchase of Fishing Rock Headland in Lincoln County.

Dave Wright, Park Land Supervisor for the Parks and Recreation Department testified in support of SB 461. Fishing Rock Headland, located north of Depoe Bay, is a minor coastal headland in comparison to well known major headlands such as Tillamook Head and Cape Blanco, which are already protected by the State Parks system. A local group, known as Friends of Fishing Rock, initiated the push for public acquisition of

this land after a local developer submitted plans for a residential subdivision of the headland to the Lincoln County Planning Department.

The State Parks and Recreation Department has determined that out of the 15 acres owned by the developer, setting aside 6.5 acres of the headland will be suitable to protect the headland, as well as provide enough land for public access and recreation.

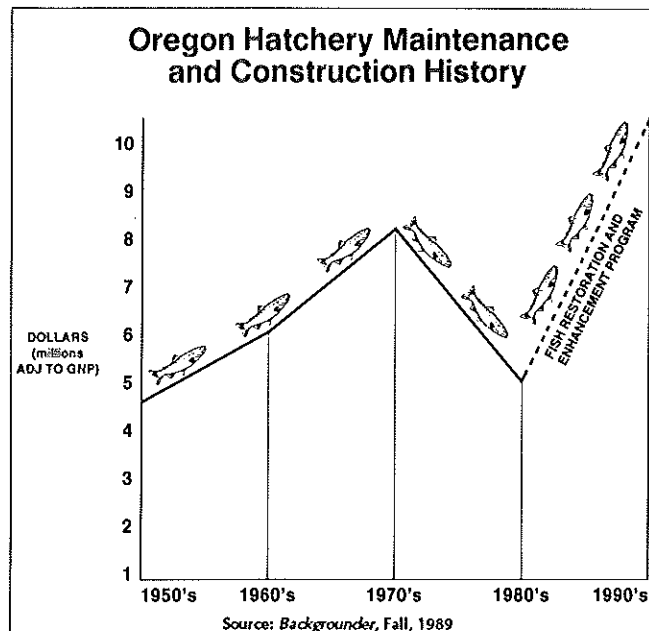
Wright testified that the State Parks Commission agreed to support this acquisition and would include the project in their 1991-93 budget request if the local area could raise 25% of the estimated cost of \$760,000. Sen. Brenneman was influential in convincing the developer for a work session and passed the bill out of Committee.

—Mara Brown
Legislative Fellow

Fish Restoration and Enhancement Bill passes from Senate floor

Senate Bill 246, extending the fees and surcharges on certain commercial and recreational fishing licenses, was carried by Senator Wayne Fawbush (D-Hood River) on the floor of the Senate Thursday morning, March 28th.

Sen. Fawbush praised the collaborative efforts reflected in the bill, and affirmed its endorsement by Senators Joan Dukes, Bill Bradbury and John Brenneman, and also Representatives Dave McTeague and Bill Dwyer. Sen. Brenneman spoke to the bill and urged strong support by other senators. Senator Eugene Timms (R-Burns), who



joins Sen. Brenneman on the Agriculture and Natural Resources Committee, also supported the bill although he cautioned the members that they should continue to see that the money goes where it can do the most good. Senator

Clifford Trow (D-Corvallis), Chair of the Ways and Means Subcommittee on Natural Resources spoke to the bill, and added that the bill requires projects to get the approval of both the Restoration and En-

hancement Board and the Oregon Department of Fish & Wildlife before they are authorized. Sen. Trow said that the process has generally worked very well and that there is no opposition to the bill.

Sen. Fawbush closed the floor discussion to confirm that the majority of the Restoration and Enhancement funds go toward hatchery restoration and enhancement. SB 246 passed out of the Senate with 25-2 with three excused. Senators Peg Jolin (D-Cottage Grove) and Jim Bunn (R-McMinnville) cast the "No" votes.

—Mara Brown
Legislative Fellow

Senate Agriculture and Natural Resources Committee Calendar

Wednesday - April 3; 8:00 a.m.; HR C

The following bills are scheduled for a work session:

SB 162: Replaces Oregon Ocean Resources Management Task Force with Ocean Policy Advisory Council.

SB 242: Requires oil contingency plan to address oil spills.

SB 499: Prohibits DSL from entering into contracts for governmental or private development or exploration of hard minerals.

SB 500: Pacific Ocean Resources Compact.

Friday - April 5; 8:00 a.m.; HR C

There will be a presentation by Dana Rasmussen, Environmental Protection Agency (EPA) Regional Administrator on the impact of federal assumption of DEQ programs. The following bills are scheduled for a work session:

SM 1: Memorializes congress to designate the Upper Klamath as a National Wild and Scenic River.

SM 2: Memorializes Federal Energy Regulatory Commission to deny permit for any hydroelectric project on Upper Klamath River.

Water Resources Seminar on Pacific Northwest Salmon

The Oregon Water Resource Institute and the Oregon State University Department of Fisheries and Wildlife are offering a Water Resources Seminar during the Spring Quarter entitled: "Pacific Northwest Salmon: An Endangered Future?" The following is a schedule of the seminars which are open to the public and are located in Covell 216, Thursdays, 3:30 to 5:00 p.m.

April 4: Overview of Endangered Salmon in the Pacific Northwest; Jim Lichatowich, Fish Biologist, Jamestown and Clallam Tribes, Washington

April 11: Columbia River Basin Fish and Wildlife Program; John Marsh, System Planning Coordinator, Northwest Power Planning Council.

April 18: Why Wild Salmon? Bill Bakke, Executive Director, Oregon Trout

April 25: Legal Background and Implications of Endangered Species Act Listing; Michael Blumm, Lewis and Clark Law School

May 2: Alternatives for Restoring Salmon Runs in the Columbia Basin; Ludwig Eisgruber, Department of Agricultural and Resource Economics, OSU

May 9: Protecting Endangered Species: Economic Impacts in the Columbia River Basin; Norman Whittlesey, Department of Agricultural Economics, WSU, Pullman

May 16: Columbia River Power Production and Conflicts with Anadromous Fish; Al Wright, Executive Director, Pacific Northwest Utilities Conference Committee

May 23: Current Status of Southern Oregon Salmon Stocks; Chris Frissell, Department of Fisheries and Wildlife, OSU

May 30: Salmon and their Restoration: A Native American Perspective; Ted Strong, Executive Director, Columbia River Intertribal Fish Commission

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Address correction requested

