



Oregon

COASTAL NOTES

May 5, 1989

Coastal Caucus Urges Congress to Require New Oil Spill Technologies...

by Onno Husing, Legislative Fellow

During a recent meeting of the Coastal Caucus I briefed the Caucus on the availability of oil spill technologies developed in the Netherlands. These technologies were developed following two major tanker disasters in Europe, the latest occurring in 1978 (the Amaco Cadiz which fouled the beaches of Northern France). After the accident, nations bordering the North Sea agreed to assume responsibility for oil spill cleanup adjacent to their coastline. As a result, the European approach is to have their large harbor dredge vessels capable of quick conversion to oil spill recovery vessels. Once an oil spill is reported, these vessels drop their dredge load and steam to the site of the accident. In the meantime oil spill recovery experts and equipment are flown to the site to meet the vessel. The central feature of this technology is the oil sweeping arms that extend on either side of the vessel. As the dredge sweeps through the spill, the oil is gathered by these arms which contain submersible pumps. The oil is then pumped through these arms into the cargo hold. Empty tankers are kept nearby to transfer the oil to shore so the vessel(s) can continue to work on the spill without having to go to shore to unload.

According to the Dutch company that builds dredges and this oil spill equipment, they offered to make this equipment available to the U.S. Army Corps of Engineers. The Corps used to be responsible for most of the nation's dredge fleet. However, since the 1970's, the Corps has "privatized" their operations. Therefore, most of

the nation's dredges are no longer run by the Corps. Reportedly, when this company approached the Corps, the Corps had expressed interest. It seems, however, that the Coast Guard (which has final authority over oil spills in this country) determined such technology was unnecessary. Unlike the United States, European governments do not split the responsibility for oil spill recovery and dredging. Rather, these nations keep these duties within the same agency.

According to estimates furnished by this Dutch Company (which I have had confirmed by other independent sources), had these technologies been in place, the Corps dredge *Essayons* could have left the Columbia River, been converted to an oil spill recovery vessel, and would have been on the scene working on the Alaskan spill within 130 hours. Further estimates reveal the spill could have been contained and probably cleaned up within two weeks with minor environmental damage compared with what has happened.

Another amazing feature of this sad story is how cost effective this technology is. Because the vessel can operate year round as a dredge, the dredge can pay for itself by performing routine dredging. The ability to convert the vessel quickly eliminates the need of purchasing a vessel that would sit idle most of the time. Therefore, for as little as \$5-\$10 million dollars, it appears this nation could have on hand several sets of this oil spill equipment located strategically in several regions which could

be flown to an oil spill site for these emergencies.

There are several oil spill cleanup bills currently before the Oregon Legislature this session. Coastal Notes will report on the progress and substance of these bills.

In addition, next week the Coastal Caucus will send letters to the Oregon Congressional Delegation, and other key members of Congress explaining our findings. The Coastal Caucus will request that tough questions be asked of these agencies and the oil companies as to why we did not have these technologies.

Please mark your calendars:

OCZMA's regular meeting is scheduled for next week, May 11-12, 1989 in Salem. An informal dinner is scheduled for the evening of May 11th (Black Angus Restaurant) with the full Association meeting on May 12th (State Capitol in the Democratic Caucus Room 257). Some important topics of discussion will include the approval of a proposed FY 1989-90 Association budget, wetlands and fisheries legislation update, as well as an up-to-date report on *Bois Marsh*. Gail Achterman, Special Assistant to the Governor for Natural Resources, will also be present to discuss ocean resource issues.

Negotiations With Japanese On Driftnets Prove Disappointing

By Onno Husing, Legislative Fellow

National press reports of the outcome of State Department negotiations with the Japanese on high seas driftnets underscore the need for continuous pressure to be applied to the U.S. Congress on this issue. According to the Associated Press the following agreement was reached:

- * 32 observers will be stationed aboard the Japanese fleet (out of 400 vessels);
- * an increase from four to five Japanese patrol boats will operate in the Northern Pacific to monitor their fleet;
- * stiffer Japanese penalties for their ships illegally driftnet fishing (going above the "squid line");
- * marking of nets so the owners of the nets can be identified;
- * a ban on the high-seas transfer of fish between Japanese trawlers and freighter, which carry the fish back to port.

The press report stated the Japanese government flatly refused to allow transponders (satellite tracking devices) on their vessels. According to AP the Japanese response was "take it or leave it".

Late last week I drafted a letter on behalf of the Coastal Caucus to Secretary of State James Baker urging that such transponders be the central demand in our negotiations with the Japanese. The use of this cost efficient and effective technology seems to be the best way, for the time being, to control illegal fishing. The letter also suggested monitoring should only constitute an interim step on the way to a total prohibition on these fisheries. After the AP report on Thursday, however, modification of our message was clearly needed. Early next week, a revised letter expressing the Coastal Caucuses views will be sent to Secretary Baker. Copies of the letter (and House Joint Memorial 12) will

also be sent to the Governor, key members of Congress, the Oregon Congressional Delegation and others. Please continue to be active!

BOATING SAFETY BILL MODIFIED BEFORE SENATE TRANSPORTATION COMMITTEE

House Bill 2044 was amended before the Senate Transportation Committee this week. Among other things, HB 2044, called a "housekeeping bill" by its sponsors (the Oregon Marine Board), would change the level of infraction for reckless boating from a class B infraction (a misdemeanor) to a class A infraction. This action would increase the fine for reckless boating to \$1000. In addition, HB 2044 also prohibits persons in a motorboat from riding or sitting on the bow, gunwale, or transom railings while the boat is underway. Amendments to the bill include provisions to ensure these riding restrictions do not apply to sailboats or to certain types of fishing activities. With respect to fishing activities, such riding will be permitted for fishing activities while the boat is operating at a speed less than 5 miles per hour. In addition, sailboats with auxiliary engines are exempt from this provision as long as the engines are not operating. As such, for the purposes of the act, once the engines are on, the sailboat shifts to a motorboat classification and these restrictions apply.

Finally, for those renting boats, HB 2044 eliminates the need to carry the certificate of the number of the boat while renting as long as: the owner retains the certificate and the boat has a clear identifying number on the boat itself, and, the renter has a signed lease agreement containing the boat's identification number on board the boat during the time the boat is leased.

The Senate Transportation voted unanimously to move the bill to the Senate Floor with a "do pass recommendation with amendments".

CORMORANT HAZING BILL FLYS THROUGH HOUSE

This week Representative Paul Hanneman's cormorant hazing bill easily passed the House of Representatives. The purpose of the legislation is to protect hatchery smolts from bird predation as they make their way down three coastal rivers. After some good natured banter, HB 3185 received a 56-4 vote. Representative Tony Van Vliet of Corvallis (who is also a professor at Oregon State) asked Representative Hanneman if he could explain the nature of cormorant "hazing". Hanneman assured Representative Van Vliet that the hazing process wasn't nearly as severe as the type of fraternity hazing so prevalent on college campuses these days.

SENATOR BRENNEMAN VISITS WASHINGTON D.C.

Last week Senator John Brenneman (and three other Oregon Senators) met with President Bush along with state legislators from other states. In addition to this encounter, Senator Brenneman had a chance to speak with Secretary of Labor Elizabeth Dole, HUD Secretary Jack Kemp, and Department of Interior Secretary Lujan. According to Brenneman, there was also a meeting with officials from the Department of State. During a question/answer period, Brenneman inquired about the State Department's activities to stop high-seas driftnet fishing. According to Brenneman, these officials stated that Secretary of State Baker was "committed" to doing something about these illegal fisheries. Brenneman considered the trip a great success.

EXXON BOYCOTT PROPOSALS SPLIT LEGISLATURE

Last week a spirited press conference was held in the Capitol in which a number of members of the Legislature cut up their Exxon cards and called for a boycott of Exxon. Representative Paul Hanneman and Senator Bill Bradbury of the Coastal Caucus participated in the press conference. Hanneman drew attention to the increase in oil prices that occurred immediately following the spill and called for an investigation of price fixing. Bradbury echoed the sentiments of many legislators in voicing his frustration over the progress of the cleanup. Bradbury also informed the press of the availability of oil spill cleanup technologies (see article in this issue of Coastal Notes). Bradbury explained how such technology needs to be worked into comprehensive state oil spill cleanup and liability legislation as well as federal legislation.

Later that week Representative Bernie Agrons angrily spoke against the boycott on the House floor. He reminded the legislature that gas station owners and employees end up being innocent victims of such a boycott. "They are your friends and neighbors, they fix your car when it needs it and they pump your gas, they were in no way responsible for corporate decisions". Agrons fervently labelled such calls for boycotts as "irresponsible" and wished his fellow legislators would think before they acted.

SALMON LICENSE BROKERING BILL PASSES HOUSE UNANIMOUSLY

Representative Walt Schroeder carried the salmon brokering bill (HB3213) before the House floor this week. With no discussion the House voted 60-0 in favor of the bill. As an earlier discussion in Coastal Notes revealed, individuals who have taken advantage of the system are reaping large profits by brokering commercial salmon permits. In some cases these permits have changed hands as much as 7-10 times a year. The dilemma is that each time a permit is transferred, the new owners of the permit are allowed to increase the size of the vessel 5 feet. Therefore, as the permit changes hands, the size of the vessel often increases. Such a phenomenon has important implications for fisheries management due to the increase in effort associated with larger vessels. The bill would restrict the number of times such a permit can be transferred to once a year.

Legislative Quotes of the Week

Senator Mike Thorne addressing a conclave of agricultural interests on the 1989 Oregon Legislature: "My advice to people in agriculture is 'Go home, tie down the roof, round up and lock up your animals, swing by your attorney and make out your will, and return to Salem to see what you can salvage.'"

An agricultural lobbyist discussing a bill requiring telephone access for migrant workers said, "On this bill we bit the bullet—and it went off in our mouths."

ATTENTION:

Due to next weeks OCZMA meeting; there will be no April 12th issue of the *Oregon Coastal Notes*.

