Senate Bill 276

Sponsored by Senator ROBLAN, Representative MCKEOWN; Senator RILEY (Presession filed.)

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 **as introduced.**

Declares state policy on ocean acidification and hypoxia.

Establishes Oregon Coordinating Council on Ocean Acidification and Hypoxia. Establishes duties of coordinating council. Requires coordinating council to submit biennial report to Legislative Assembly and Ocean Policy Advisory Council by September 15 of each even-numbered year on coordinating council's activities and recommendations.

A BILL FOR AN ACT

Relating to climate change impacts on ocean resources.

Whereas Oregon is an epicenter for the global manifestation of ocean acidification and hypoxia; and

Whereas the natural seasonal process of upwelling transports corrosive waters into the nearshore and estuaries, causing marine waters within this state's jurisdiction to be especially vulnerable to ocean acidification; and

Whereas ocean acidification, hypoxia and changes in ocean temperature are intensifying; and

Whereas Oregon has rich and vibrant wild marine fisheries, including shellfish fisheries; and

Whereas ocean acidification and hypoxia are known to cause mortality and reduced growth and productivity in marine organisms, including in species that form the foundation of the marine food web; and

Whereas negative impacts from ocean acidification, hypoxia or both have already been observed in species that are commercially, culturally and economically important to this state, including oysters, mussels and crabs; and

Whereas Oregon's coastal communities and economies are important to this state and are dependent on a thriving marine ecosystem; and

Whereas Oregon has academic institutions with world-class expertise in ocean issues, including ocean acidification and hypoxia; and

Whereas Oregon has played a leading role in fostering collaborative ocean acidification and hypoxia monitoring, research and action; and

Whereas the partnerships between the shellfish industry and university scientists in this state are an example to the nation for building innovative solutions to address ocean acidification and hypoxia; and

Whereas an Oregon Ocean Acidification and Hypoxia Center of Excellence is explicitly identified in the Oregon State University Marine Studies Initiative Strategic Plan to be housed in the Marine Studies Initiative to leverage and build upon existing state contributions to ocean acidification and hypoxia research; and

Whereas the Ocean Policy Advisory Council and the Oregon Ocean Science Trust have identified ocean acidification as a priority issue for Oregon; and

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.

Whereas the West Coast Ocean Acidification and Hypoxia Science Panel, comprised of eminent scientists from Oregon and other West Coast jurisdictions, working in collaboration with ocean management counterparts in Oregon, Washington, California and British Columbia, recently issued recommendations and associated specific actions that can be implemented immediately to respond to ocean acidification and hypoxia; now, therefore,

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

SECTION 1. The Legislative Assembly finds and declares that ocean acidification and hypoxia severely endanger the state's commercially and culturally significant ocean resources. The Legislative Assembly therefore declares it to be the policy of the state to ensure a coordinated, effective response to ocean acidification and hypoxia. To facilitate efforts that are coordinated and effective, it shall be the state's policy to support ocean acidification and hypoxia actions and initiatives that are developed through close collaborations between federal, state and local agencies, academic institutions and commercial industries, among others.

SECTION 2. (1) The Oregon Coordinating Council on Ocean Acidification and Hypoxia is established, consisting of 13 members as follows:

(a) The Governor or the Governor's designee;

(b) The director of an initiative for integrative marine studies at Oregon State University or the director's designee;

(c) The State Fish and Wildlife Director or the director's designee;

(d) The Director of Agriculture or the director's designee;

(e) The Director of the Department of Environmental Quality or the director's designee;

(f) The Director of the Department of Land Conservation and Development or the director's designee; and

(g) Seven members appointed by the Governor as follows:

(A) One member representing the Oregon Ocean Science Trust;

(B) One member representing the Oregon Sea Grant;

(C) One member representing a conservation organization;

(D) One member representing fishing interests;

(E) One member representing the shellfish mariculture industry;

(F) One member representing the academic research community with relevant expertise; and

(G) One member representing the interests of Oregon Indian tribes.

(2)(a) The term of office of each member of the coordinating council appointed by the Governor is four years, but a member serves at the pleasure of the Governor. The terms must be staggered so that no more than two terms end each year.

(b) Before the expiration of the term of a member, the Governor shall appoint a successor to take office upon the date of that expiration. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(3) The State Fish and Wildlife Director or the director's designee and the director of an initiative for integrative marine studies at Oregon State University or the director's designee shall serve as cochairpersons of the coordinating council.

(4) A majority of the members of the coordinating council constitutes a quorum for the transaction of business.

(5) The coordinating council shall meet at times and places specified by the call of the chairpersons or of a majority of the members of the coordinating council.

(6) The coordinating council may adopt rules as necessary for the operation of the coordinating council.

(7) The members of the coordinating council are not entitled to compensation but are entitled to expenses as provided in ORS 292.495. Claims for expenses incurred in performing functions of the coordinating council shall be paid out of funds appropriated to the State Department of Fish and Wildlife for purposes of the coordinating council.

(8) The State Department of Fish and Wildlife shall provide staff support to the coordinating council.

SECTION 3. (1) The Oregon Coordinating Council on Ocean Acidification and Hypoxia shall:

(a) Review and utilize relevant, scientifically supported information, including the recommendations of the West Coast Ocean Acidification and Hypoxia Science Panel and other available information, reports and studies, to:

(A) Identify research and monitoring activities necessary to better understand the changing ocean chemistry and the potential impacts of ocean acidification and hypoxia; and

(B) Recommend prioritized state actions to address ocean acidification and hypoxia;

(b) Identify actions and initiatives to address Oregon's vulnerabilities to ocean acidification and hypoxia that may include, but need not be limited to:

(A) Developing optimal strategies for mitigating the effects of ocean acidification and hypoxia;

(B) Taking steps to strengthen existing scientific monitoring, research and analysis regarding the effects and trends in ocean acidification and hypoxia;

(C) Identifying habitats that are particularly vulnerable to corrosive sea water, including areas experiencing multiple stressors such as hypoxia, sedimentation and harmful algae blooms;

(D) Identifying the socioeconomic and ecosystem impacts of intensifying ocean acidification;

(E) Taking steps to increase public awareness of the science and impacts of ocean acidification and hypoxia;

(F) Developing a long-term ocean acidification and hypoxia coordination strategy among state agencies, academia, the federal government and industry; or

(G) Leveraging opportunities for research partnerships with academia, tribes and the commercial fishing industry, in order to advance the understanding of ocean acidification and hypoxia in Oregon; and

(c) Advise and assist the State Department of Fish and Wildlife and all other represented public agencies in coordinating and carrying out, as directed by the agencies' governing bodies, the actions and initiatives identified under paragraph (b) of this subsection.

(2) The coordinating council may develop a Socioeconomic Vulnerability to Ocean Acidification Report. A report developed under this subsection may include, but need not be limited to, information identifying:

(a) Coastal communities in this state that may be impacted by ocean acidification;

(b) The impacts of ocean acidification and hypoxia on the communities identified under paragraph (a) of this subsection; or

(c) The gaps in understanding that exist regarding the impacts of ocean acidification and hypoxia on economically or commercially important species, particularly species that support commercial, recreational and tribal fisheries and shellfish aquaculture in this state.

(3) The coordinating council may develop recommendations for the Oregon Ocean Science Trust, state agencies, academia or other organizations on priority, strategic research that may be done to address gaps that exist in the understanding of ocean acidification and hypoxia. Strategic research recommendations developed by the coordinating council may include, but need not be limited to, research related to:

(a) The impacts of ocean acidification and hypoxia on marine organisms and the marine ecosystem;

(b) The economic impacts of ocean acidification and hypoxia on communities in this state; or

(c) Developing adaptation and mitigation strategies for conserving and enhancing the resilience of marine organisms and ecosystems for future use and enjoyment by Oregonians and visitors to this state.

(4) The coordinating council shall submit a biennial report to the Legislative Assembly and to the Ocean Policy Advisory Council by September 15 of each even-numbered year on the coordinating council's activities and recommendations.

(5) All agencies of state government, as defined in ORS 174.111, are requested to assist the coordinating council in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to furnish such information and advice as the members of the coordinating council consider necessary to perform their duties.
