

## Enrolled

# House Joint Memorial 37

Sponsored by Representatives BOONE, BROWN, KRIEGER, ROBLAN, WITT, Senators JOHNSON, KRUSE, VERGER; Representatives ACKERMAN, AVAKIAN, BARKER, BARNHART, BEYER, BOQUIST, BUCKLEY, BUTLER, CAMERON, DINGFELDER, FARR, HANSEN, HOLVEY, HUNT, KOMP, MARCH, MERKLEY, NOLAN, OLSON, ROSENBAUM, SCHAUFLEER, SHIELDS, TOMEI, WIRTH, Senators DEVLIN, FERRIOLI, GEORGE, GORDLY, MONNES ANDERSON, MORRISSETTE, NELSON, WESTLUND, WHITSETT, WINTERS

To the President of the United States and the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-third Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas naturally occurring marine resources in the eastern Pacific Ocean constitute an invaluable asset to the marine environment and to the people of Oregon; and

Whereas many people and businesses in Oregon's coastal communities have a livelihood that depends directly on healthy marine ecosystems and on naturally occurring marine resources; and

Whereas open ocean aquaculture operations located in other places have negatively affected the marine environment in those places; and

Whereas the National Oceanic and Atmospheric Administration of the United States Department of Commerce has submitted to Congress the National Offshore Aquaculture Act of 2005 that would authorize the Secretary of Commerce to issue permits for offshore aquaculture in ocean waters and that would facilitate expansion of open ocean aquaculture in the exclusive economic zone of the United States; now, therefore,

**Be It Resolved by the Legislative Assembly of the State of Oregon:**

That we, the members of the Seventy-third Legislative Assembly, respectfully urge Congress to establish a regulatory system for open ocean aquaculture; and be it further

Resolved, That the regulatory system require the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration to develop by January 1, 2009, in consultation with regional fishery management councils, an inventory of the areas of the exclusive economic zone that are potentially suitable for open ocean aquaculture operations conducted in a manner that is consistent with the preservation of naturally occurring marine resources; and be it further

Resolved, That the regulatory system require that the inventory of the areas of the exclusive economic zone suitable for open ocean aquaculture operations be independently peer reviewed; and be it further

Resolved, That the regulatory system allow the issuance of permits for open ocean aquaculture operations only after the inventory has been performed and only after a public comment period of six months with public notice provided in the Federal Register; and be it further

Resolved, That the regulatory system include rules developed by the Secretary of Commerce for the issuance of permits for open ocean aquaculture operations that balance conservation concerns against the economic benefits provided by open ocean aquaculture; and be it further

Resolved, That the rules developed place a clear priority on the maintenance of naturally occurring marine resources; and be it further

Resolved, That the regulatory system allow a coastal state to prohibit the siting of open ocean aquaculture operations in federal waters located directly outside the waters of the state; and be it further

Resolved, That the regulatory system require persons receiving permits for open ocean aquaculture operations to post a bond in an amount sufficient to compensate for the study and mitigation of the damage to the marine environment caused by the operations; and be it further

Resolved, That the regulatory system impose criminal penalties for knowing violations of permit conditions, in addition to civil penalties for failing to comply with permit conditions; and be it further

Resolved, That a copy of this memorial shall be sent to each member of the Oregon Congressional Delegation.

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Adopted by House July 6, 2005

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Chief Clerk of House

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Speaker of House

Adopted by Senate July 14, 2005

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President of Senate