

**HOUSE COMMITTEE ON WATER**

March 11, 2005 Hearing Room 357

1:00 P.M. Tapes 44 - 45

**MEMBERS PRESENT:**           **Rep. Bob Jenson, Chair**

**Rep. Jackie Dingfelder, Vice-Chair**

**Rep. Jerry Krummel, Vice-Chair**

**Rep. Alan Brown**

**Rep. Billy Dalto**

**Rep. Carolyn Tomei**

**MEMBER EXCUSED:**           **Rep. Phil Barnhart**

**STAFF PRESENT:**           **Sandy Thiele-Cirka, Committee Administrator**

**Elizabeth Howe, Committee Assistant**

**MEASURES/ISSUES HEARD:**

**HB 2472 – Public Hearing**

**Oregon Department of Fish and Wildlife (ODFW)**

**These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.**

<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
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## TAPE 44, A

002 Chair Jenson Calls the meeting to order at 1:06 p.m. Opens as a subcommittee. Opens a public hearing on HB 2472.

### HB 2472 – PUBLIC HEARING

018 Dan Butsch Constituent of Rep. Brown. Submits written testimony (**EXHIBIT A**) and testifies in support of HB 2472.

055 Chair Jenson Asks if Mr. Butsch testified before the Water Committee last session.

059 Butsch Reports that this bill was not heard last session.

070 Dave Leland Administrator, Office of Public Health Systems, Department of Human Services (DHS). Submits written testimony (**EXHIBIT B**) and testifies as neutral on HB 2472. Offers information concerning resources available for HB 2472.

114 Rep. Tomei Clarifies that DHS is not opposed to HB 2472.

118 Leland Responds affirmatively. Clarifies what DHS supports.

123 Rep. Dingfelder Questions how many full time employees (FTE) it will take to fill the gap between the large water systems and the small ones.

129 Leland Estimates five FTE. Refers to Drinking Water Advisory Committee handout. Mentions that the taskforce recommendations did not address small system Environmental Protection Agency (EPA) standards.

155 Chair Jenson Inquires if it is possible to privatize water testing for smaller systems.

171 Leland States that the state safe drinking water program is regulatory. Recalls that there are many private businesses that provide services for water testing and recommendations.

189 Rep. Dingfelder Clarifies about receipts authority through private contractors. Inquires if there is a fee charged for inspections.

- 202 Leland Relates that presently there is no fee for inspections. Notes that the majority of funding is from EPA, so non-EPA systems are not funded.
- 215 Chair Jenson Asks Mr. Leland to look at HB 2186 and that 2003 predecessor.
- 229 Chair Jenson Closes public hearing on 2472. Opens as the full committee for the informational meeting from Oregon Department of Fish and Wildlife (ODFW) and the Coastal Coho Evaluation Process and Assessment Project (CCEPAP).

**DEPARTMENT OF FISH AND WILDLIFE – INFORMATIONAL MEETING**

- 250 Lindsay Ball Director, Oregon Department of Fish and Wildlife. Submits written testimony (**EXHIBIT C**) and introduces presentation on the CCEPAP.
- 316 Chair Jenson Expresses appreciation for field workers.
- 336 Ed Bowles Administrator, Fish Division, ODFW. Submits presentation materials (**EXHIBIT D**) and presents PowerPoint on the CCEPAP. Describes three primary components of the project.

**TAPE 45, A**

- 009 Bowles Explains chart (**EXHIBIT D, page 2**) graphing Coho abundance, and variations in ocean survival in the last five decades (**page 3**).
- 030 Rep. Dalto Questions ocean conditions that have affected the Coho.
- 033 Bowles Describes changes in ocean conditions that benefit Coho.
- 040 Rep. Brown Inquires if Coho off Oregon's Coast migrate far. Questions whether improving Oregon coastal waters helps the Coho in Oregon's rivers.
- 045 Bowles Explains that Coho do not migrate as far as other salmon. Responds that Oregon's salmon and all salmon benefit from improvements.
- 058 Rep. Tomei Questions why the Coho population change was so dramatic in the late 1980s as compared to 40 years before.

063	Bowles	Describes oscillation in ocean upwelling, draughts and floods. Notes that fish were hit hard for 7-9 years.
079	Rep. Brown	Inquires if watershed work helped recovery.
086	Bowles	Believes that conservation efforts in watersheds helped fish survive and recover.
099	Ball	Mentions inland habitat improvements.
101	Bowles	Discusses important habitat for Coho. Describes the Ecologically Significant Unit (ESU) of important populations ( <b>EXHIBIT D, page 3</b> ). Explains Viable Salmonid Populations (VSP) attributes ( <b>page 4</b> ).
156	Chair Jenson	Asks for R2 correlation, and degree of significance.
158	Bowles	Describes R2, and explains significant relationship for spawning survival. Offers to provide reports to staff. Continues evaluating persistence using viability curves ( <b>EXHIBIT D, page 5</b> ).
204	Bowles	Explains color graphs ( <b>EXHIBIT D, page 6</b> ) displaying Adult Coho Distribution and Abundance. Presents preliminary results of application of criteria to Oregon Coastal Coho Populations ( <b>page 7</b> ).
250	Bowles	Describes preliminary strata and ESU assessment ( <b>page 8</b> ).
260	Rep. Dingfelder	Inquires if there is a weighting system to criteria, and what criteria is.
265	Bowles	Explains precautionary approach to criteria, and describes criteria. Offers statistics on persistence under different scenarios, and describes the meaning of different columns in the chart ( <b>EXHIBIT D, page 8</b> ).
337	Rep. Brown	Asks about hatchery improvement impacts, and sporting restrictions.
342	Bowles	Explains the improvements made to hatcheries, and explains selective fishing. Continues presentation discussing the viability curve ( <b>page 9</b> ).
408	Ball	

Illustrates the commitment by ODFW employees and Oregonians to restore Coastal Coho.

**TAPE 44, B**

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| 027 | Bowles       | Reiterates the collective effort by Oregon Plan partner agencies. Presents storyboard of ESU ( <b>EXHIBIT D, page 11</b> ).  |
| 093 | Rep. Tomei   | Asks why more Coho are currently spawning than in the last 50 years.   |
| 095 | Bowles       | Explains why there is more spawning. Discusses monitoring, expenditures, and restoration funding ( <b>EXHIBIT D, page 13</b> ).  |
| 116 | Rep. Tomei   | Questions whether high Coho potential land is private land.  |
| 121 | Bowles       | Replies that the Oregon Plan is essential to create the private partnerships needed to protect and restore Coho.   |
| 130 | Chair Jenson | Questions whether ODFW has statistics on the most significant management tool.   |
| 141 | Bowles       | Replies statistics will be presented. Continues presentation on OWEB Grants ( <b>EXHIBIT D, page 14</b> ) and habitat complexity ( <b>page 16</b> ).   |
| 209 | Rep. Brown   | Inquires if Coho spawn in the mainstream, or in tributaries.   |
| 212 | Bowles       | States that Coho typically do not spawn mainstream in large rivers. Continues presentation on risk factors. Points to two columns in ESU scale ( <b>EXHIBIT D, page 18</b> ) and emphasizes stream complexity. |
| 283 | Rep. Brown   | Inquires about stream complexity, and asks about impact of dairy industry in the Tillamook River.  |
| 286 | Bowles       | Defines stream complexity as Coho rearing habitat in freshwater, and explains that the water quality problem in the Tillamook River is temperature related.  |
| 340 | Bowles       | Concludes by reviewing presentation and offering a technical review. Outlines ODFW timeline ( <b>EXHIBIT D, page 21</b> ).   |

393	Chair Jenson	Offers closing comments.
<b>TAPE 45, B</b>		
044	Chair Jenson	Continues closing comments.
060	Rep. Brown	Acknowledges the timber companies who have contributed as private landowners.
074	Rep. Dingfelder	Acknowledges the Lottery dollars that fund the Oregon Plan. Inquires about the timeline. Questions whether ODFW's response to agency comments is a public document.
084	Bowles	Relays that response to agency comments will be the final public document on the issue. Explains that the National Oceanic and Atmospheric Administration (NOAA) is the official reviewer. Notes that the Governor's office, not ODFW, will submit the final report.
125	Chair Jenson	Questions what ODFW will do after success for Coastal Coho.
135	Bowles	Responds that monitoring will continue. Adds that similar efforts will be duplicated in other areas of Oregon with other fish.
154	Ball	Emphasizes that monitoring must continue so Coho do not recede.
164	Chair Jenson	Expresses his desire for Coastal Coho and future restoration projects. Closes the informational hearing and adjourns the meeting at 2:22 p.m.

### **EXHIBIT SUMMARY**

- A. **HB 2472, written testimony, Don Butsch, 1 p**
- B. **HB 2472, written testimony, Dave Leland, 2 pp**
- C. **Oregon Department of Fish and Wildlife, written testimony, Lindsay Ball, 2 pp**
- D. **Oregon Department of Fish and Wildlife, presentation materials, Ed Bowles, 28 pp**