

HOUSE COMMITTEE ON WATER

March 04, 2003 Hearing Room B
8:30 A.M. Tapes 31 - 32

MEMBERS PRESENT: Rep. Bob Jenson, Chair
Rep. Jackie Dingfelder, Vice-Chair
Rep. Jeff Kropf, Vice-Chair
Rep. Linda Flores
Rep. Jeff Kruse
Rep. Mike Schaufler
Rep. Carolyn Tomei

STAFF PRESENT: Pete Test, Committee Administrator
Mike Reiley, Committee Assistant

MEASURE/ISSUES HEARD: HB 2138 – Public Hearing and Work Session
HB 2459 & HB 2460 – Public Hearing

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.

TAPE/#	Speaker	Comments
TAPE 31, A		
002	Chair Jenson	Calls meeting to order at 8:38 a.m. Opens public hearing on HB 2138.
<u>HB 2138 – PUBLIC HEARING</u>		
020	Wayne Giesy	Member, Native Fish Conservation Policy Task Force. Offers suggestions for addressing HB 2138.
039	Glen Stonebrink	Oregon Cattlemen's Association. Testifies in opposition to HB 2138. Expresses concern with language in bill.
050	Rep. Tomei	Asks for clarification of language.
052	Stonebrink	Clarifies language.
064	Dennis Richey	Executive Director, Oregon Anglers. Submits and summarizes prepared testimony in opposition to HB 2138 (EXHIBIT A).
097	Chair Jenson	Asks about anti-hatchery bias.
109	Ed Bowles	Fish Division Administrator, Oregon Department of Fish and Wildlife. Explains hatchery and non-hatchery fish.
128	Chair Jenson	Asks about listing regarding hatchery and native fish.
139	Bowles	Explains criteria for listing.
152	Chair Jenson	Asks for clarification of definition of hatchery and wild fish.
166	Bowles	Offers clarification.
167	Chair Jenson	Asks for further clarification.
174	Bowles	Offers further clarification.
184	Chair Jenson	Recesses meeting.
186	Chair Jenson	Reconvenes meeting. Closes public hearing on HB 2138. Opens work session on HB 2138.
<u>HB 2138 – WORK SESSION</u>		
194	Rep. Tomei	Speaks in support of HB 2138.
201	Chair Jenson	Explains work done by federal agencies regarding definition of recovery.

224	Rep. Tomei	MOTION: Moves HB 2138 to the floor with a DO PASS recommendation.
232	Rep. Kropf	States support for HB 2138. Notes that there is more work to be done.
242	Rep. Flores	States support for HB 2138.
258	Rep. Kruse	Notes concerns about hatchery and wild fish definitions regarding HB 2138.
290	Rep. Dingfelder	Expresses support for HB 2138.
295	Chair Jenson	Explains work done by Umatilla Tribe in restoring salmon run in Umatilla River.
		VOTE: 7-0
		AYE: In a roll call vote, all members present vote Aye.
342	Chair Jenson	The motion CARRIES.
		CHAIR JENSON will lead discussion on the floor. Closes work session on HB 2138. Opens public hearing on HB 2459 and HB 2460.

HB 2459 & HB 2460 – PUBLIC HEARING

361	Pete Test	Committee Administrator. Summarizes HB 2459.
385	Dale Blanchard	West Linn. Submits and summarizes prepared testimony in opposition to HB 2459 and HB 2460 (EXHIBIT B).
TAPE 32, A		
028	Chair Jenson	Asks for clarification of Mr. Blanchard's view of politicians' qualifications.
035	Blanchard	Clarifies his view of qualifications.
050	Kaitlin Lovell	Trout Unlimited. Submits prepared information (EXHIBIT C) and testifies in opposition to HB 2459 and HB 2460.
166	Tom Wolf	Oregon Council, Trout Unlimited. Submits and summarizes prepared testimony in opposition to HB 2459 & HB 2460 (EXHIBIT D). Submits prepared testimony from Les Helgeson, Native Fish Society (EXHIBIT E).
229	Rep. Kropf	Asks about success of hatcheries in restoring fish runs.
231	Wolf	Cites magazine article addressing degree of success of hatcheries.
246	Rep. Kropf	Asks how recovery of species such as California condor, bred in captivity is different from using hatchery fish.
255	Lovell	Clarifies differences between Rep. Kropf's examples.
268	Rep. Kropf	Asks for clarification of recovery under Endangered Species Act.
280	Lovell	Clarifies provisions of Endangered Species Act.
300	Rep. Kropf	Comments on recovery and sustainable populations. Notes political aspect of issue.
338	Rep. Tomei	Asks about context of Ms. Lovell's comments regarding fish farms and hatcheries.
340	Lovell	Clarifies her comments.
342	Rep. Tomei	Asks if Ms. Lovell was involved in Salmon Recovery Task Force.
345	Lovell	Explains her work done with Salmon Recover Task Force.
349	Rep. Tomei	Asks if she agrees with it's conclusions.
353	Lovell	States her opinions of work done by task force.
359	Chair Jenson	Notes that Endangered Species Act was created by politicians and is now being addressed by politicians.
371	Mary Buckman	President, Oregon Chapter, American Fisheries Society. Submits and summarizes prepared testimony in opposition to HB 2459 and HB 2460 (EXHIBIT F).

TAPE 31, B

039	Glen Stonebrink	Oregon Cattlemen's Association. Testifies in support of HB 2459
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076	Rep. Kruse	and HB 2460.
085	Aubrey Russell	Clarifies intention for HB 2459 and HB 2460.
		Oregon Trout. Submits and summarizes prepared testimony in opposition to HB 2459 and HB 2460 (EXHIBIT G).
171	Rep. Kropf	Asks about proposal of Oregon Department of Fish & Wildlife (ODFW) to devise more natural hatchery.
178	Russell	Explains that natural hatcheries are worth exploring.
194	Rep. Tomei	Asks about allowing more fish to naturally travel upstream to spawn.
198	Russell	Explains survivability and spawning of fish populations.
263	Chair Jenson	Comments on putting issues before voters.
290	Dennis Richey	Executive Director, Oregon Anglers. Testifies in opposition to HB 2459 and HB 2460.
397	Phil Donovan	Northwest Sportfishing Industry, Association of Northwest Steelheaders. Submits and summarizes prepared testimony in opposition to HB 2459 and HB 2460 (EXHIBIT H).

TAPE 32, B

030	Ed Bowles	Fish Division Administrator, Oregon Department of Fish & Wildlife. Submits and summarizes prepared testimony in opposition to HB 2459 and HB 2460 (EXHIBIT I).
078	Chair Jenson	Clarifies future intentions for HB 2459 and HB 2460.
085	Rep. Schaufler	Asks about work done and future plans for fish populations.
089	Bowles	Explains work being done and goals for work.
103	Chair Jenson	Closes public hearing on HB 2459 and HB 2460. Opens public hearing on HB 2513.

HB 2513 – PUBLIC HEARING

109	Pete Test	Committee Administrator. Summarizes HB 2513.
118	Chuck Craig	Deputy Director, Oregon Department of Agriculture. Submits and summarizes prepared testimony in opposition to HB 2513 (EXHIBIT J).
198	Rep. Dingfelder	Asks about number of violations issued since SB 1010 inception.
205	Craig	States that there were 51 complaints and 15 water quality advisories issued from 1998.
223	Rep. Dingfelder	Asks if HB 2513 is an unnecessary proposal.
230	Craig	States that he is unsure of intention for HB 2315.
244	John McDonald	Director, Oregon Association of Conservation Districts, District Director, Tualatin Soil and Water Conservation District. Testifies in opposition to HB 2513.
353	Rep. Kropf	States that he would like to keep good direction going regarding Confined Animal Feeding Operations (CAFO).
370	Chair Jenson	Discusses development of SB 1010 and its implementation.
410	McDonald	Describes positive aspect of work being done on issue.
418	Chair Jenson	Closes public hearing on HB 2513. Adjourns meeting at 10:32 am.

EXHIBIT SUMMARY

A – HB 2138, written testimony, Dennis Richey, 1 p
B – HB 2459 & HB 2460, written testimony, Dale Blanchard, 2 pp
C – HB 2459 & HB 2460, written information, Kaitlin Lovell, 1 p
D – HB 2459 & HB 2460, written testimony, Tom Wolf, 2 pp
E – HB 2459 & HB 2460, written testimony, Les Helgeson, 2 pp

F – HB 2459 & HB 2460, written testimony, Mary Buckman, 6 pp
G – HB 2459 & HB 2460, written testimony, Aubrey Russell, 25 pp
H – HB 2459 & HB 2460, written testimony, Phil Donovan, 2 pp
I – HB 2459 & HB 2460, written testimony and information, Ed Bowles, 13 pp
J – HB 2513, written testimony, Chuck Craig, 2 pp