

**HOUSE COMMITTEE ON STREAM RESTORATION &
SPECIES RECOVERY**

January 19, 2001
1:00 P.M.

Hearing Room E
Tapes 10 – 13

MEMBERS PRESENT: **Rep. Bob Jenson, Chair**
 Rep. Jan Lee, Vice-Chair
 Rep. Randy Leonard Vice-Chair
 Rep. Tim Knopp
 Rep. Jeff Kruse
 Rep. Patti Smith
 Rep. Al King
 Rep. Carolyn Tomei
 Rep. Kelley Wirth

VISTITING MEMBER: **Rep. Wayne Krieger**

STAFF PRESENT: **Sandy Thiele-Cirka, Administrator**
 Linda K. Gatto, Administrative Support

MEASURE/ISSUES HEARD: **Oregon Plan Overview**
 Independent Multidisciplinary Science Team
 HB 2183 – Work Session
 Oregon Plan Overview
 Oregon Department of Fish & Wildlife
 Oregon Trout
 Oregon Forest Industries Council
 Oregon Farm Bureau

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 10, A		
003	Chair Jenson	Calls meeting to order at 1:00 p.m. Opens informational meeting as a subcommittee.
<u>INFORMATIONAL MEETING – OREGON PLAN OVERVIEW</u>		
006	Dr. Logan Norris	Chairman, Independent Multidisciplinary Science Team (IMST). Gives a power point presentation. Submits (EXHIBIT A) .
130	Norris	Reviews the goals and objectives of the organization team and the products they produce.
167	Chair Jenson	Closes the subcommittee and opens as a full committee.
172	Norris	Continues with presentation outlining the IMST's challenge.
226	Chair Jenson	Asks if the workload is in line with the initial compensation that was established.
230	Norris	Notes that the funding level allotted for 20 percent of their time. The 1999 legislative assembly increased that to 33 percent.
257	Rep. King	Questions if there are proposed projects being delayed and will the team require an expansion.
274	Norris	Clarifies that the team is the right size for the focus. States

		expanding the IMST could cause management difficulties. Suggests a separate group be developed if political, economic, or social sciences need improved representation.
333	Rep. Kruse	Questions if the team has been inclined to suggest consideration of the other sciences.
363	Norris	Responds affirmatively. Notes that the conclusion of IMST is not to lead to the policy decisions but relate the science to the Oregon Plan.
384	Rep. Jenson	Comments that until recovery is defined the answers provided by science are also undefined.
403	Norris	Concurs that this is serious problem. States IMST has a project in which IMST will attempt to provide a scientific perspective on criteria that could be used to determine measurable goals.
422	Chair Jenson	Closes informational meeting and opens work session on HB 2183.

WORK SESSION – HB 2183

TAPE 11, A

019	Sandy Thiele-Cirka	Committee Administrator. Reviews the content of HB 2183 and presents the –1 amendment dated 1/16/01 (EXHIBIT B).
025	Rep. Lee	MOTION: Moves to ADOPT HB 2183 –1 amendment (1/16/01).
033	Chair Jenson	VOTE: 9-0
		Hearing no objections the motion CARRIES.
037	Rep. Kruse	MOTION: Moves HB 2183 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 9-0
		AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
060	Chair Jenson	MOTION: Moves HB 2183 be placed on the CONSENT CALENDAR.
062	Rep. Kruse	VOTE: 9-0
		AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
071	Chair Jenson	
073	Chair Jenson	Closes the work session on HB 2183 and re-opens the informational meeting.

OREGON PLAN OVERVIEW

080	Robin Brown	Marine Mammal Program Leader, Oregon Department of Fish & Wildlife (ODFW). Submits (EXHIBIT C), the status of Oregon Pinniped research.
136	Brown	Outlines (EXHIBIT C), refers to page three and states marine mammals of primary concern are seals and sea lions.
180	Brown	Refers to page seven through eleven, discusses the population counts and the Marine Mammal Act.
289	Brown	Reviews the issues and actions relative to predation studies.
303	Rep. Kruse	Questions the removal of seals and sea lions without reducing the population.
310	Brown	Answers the report recommends that the law be amended to allow state and federal resource agencies to remove small numbers of animals without having to go through an extended bureaucratic process.
328	Rep. Kruse	Asks why the 1970's are the baseline when the seal and sea lion populations were the lowest in the 1880's at the height of the whaling industry.

341	Brown	Answers that the data starts at that time.
370	Rep. Kruse	Mentions that in 1994 United States Congress directed the National Marine Fisheries Service (NMFS) and wonders what recommendation came of it.
389	Brown	Provides background, but notes there are no hard answers.
TAPE 10, B (due to a technical malfunction, portions of this tape are inaudible)		
TAPE IS SKIPPING		
033	Brown	Explains the Marine Mammal Protection Act.
042	Rep. Krieger	Refers to Dr. Bruce Mate's study in the Rogue River and states that sea lion populations are a problem.
060	Rep. Kruse	Asks about the separation of species to maintain maximum protection of other species.
065	Brown	Answers that this has been discussed.
070	Rep. Wirth	Questions how estimates are calculated, page 21.
075	Brown	Responds that these estimates are minimal.
086	Rep. Tomei	Asks how sea lions move into fresh water.
087	Brown	Answers that they venture for food, they can live in either salt or fresh water. Explains how this may be becoming a larger problem.
097	Jim Myron	Oregon Trout. Notes that Oregon Trout supports Oregon Plan and submits (EXHIBIT D) .
TAPE CUTS OFF		
TAPE 11, B		
038	Rep. Wirth	Inquires if ODFW has responded to the proposal of becoming the lead agency for the Oregon Plan.
045	Myron	Responds there is an opportunity for it to happen.
053	Rep. King	Asks about the Oregon Watershed Enhancement Board (OWEB) monitoring program.
063	Myron	Answers that monitoring has been an afterthought. States that he can provide the committee with a letter, supported by a number of groups that was submitted to the governor and the Northwest Power Planning Council.
078	Rep. King	Questions OWEB's monitoring procedures.
082	Myron	Answers OWEB is developing a monitoring plan, but the follow up has been weak.
111	Ray Wilkeson	Oregon Forest Industries Council (OFIC). Describes OFIC and their history with the Oregon Plan.
160	Wilkeson	States the 1997 legislative session allocated \$30 million to fund the Oregon Plan. Notes that the forest industry agreed to a temporary two-year responsibility to provide half that funding.
202	Wilkeson	Expresses support for the Oregon Plan. Identifies pending questions: institutionalizing the Oregon Plan, political commitment of a future governor, and Oregon's independence from the federal government.
244	Rep. Krieger	Questions the commitment that was made by industrial landowners for road maintenance, upgrades, and culverts.
249	Wilkeson	Explains that a survey determined the cost of retrofitting all old roads and culverts at a cost of \$130 million and it is currently being done.
264	Rep. Kruse	Asks about Endangered Species Act and solving problems.
210	Wilkeson	Answers the 4(d) rule could have an effect on people's ability and willingness to take action. Explains industry issues related to the 4(d) rule.

301	Pete Test	Associate Director of Governmental Affairs, Oregon Farm Bureau (OFB). Gives history of OFB with the Oregon Plan.
370	Test	Discusses Animal Feeding Operations/Confined Animal Feeding Operations (AFO/CAFO) and EPA regulations. Explains the plan is a grassroots, bottom up planning system.
411	Test	Reviews legislative issues and reporting to Healthy Streams Partnership (HSP).
443	Test	Discusses water quality standard issues, including temperature standards. Expresses concern about funding.
TAPE 12, A (due to a technical malfunction, portions of this tape are inaudible)		
046	Test	Mentions regional group composed of EPA, NMFS, USFWS, and tri-state DEQ's are looking to develop a regional temperature standard.
081	Test	Stresses that programs need to be long term rather than short term to obtain secure funding. Notes concerns with watershed councils.
118	Rep. Leonard	Questions if temperature standards mean not being able to farm up to the stream.
122	Test	Answers and explains temperature standards.
145	Rep. Leonard	Discusses property rights and temperature goals. Questions watershed councils concerns.
152	Test	Answers and explains on-going efforts are being made to achieve goals and mentions SB 1010.
TAPE 13, A		
005	Chair Jenson	Closes informational meeting and adjourns the meeting at 3:00 p.m.

Transcribed By,

Reviewed By,

Linda K. Gatto,
Committee Assistant

Sandy Thiele-Cirka,
Committee Administrator

-

-

-

Transcribed By,

Michael Reiley
Committee Assistant

-

-

EXHIBIT SUMMARY

A – Oregon Plan Overview, IMST written materials, Dr. Logan Norris, 6 pp.

B – HB 2183-1 amendment and engrossed bill, staff, 3 pp.

C – Oregon Plan Overview, written materials, Robin Brown, 30 pp.

D – Oregon Plan Overview, written testimony, Jim Myron, 1 p