

HOUSE COMMITTEE ON STREAM RESTORATION
& SPECIES RECOVERY

January 31, 2001
1:00 P.M.

Hearing Room E
Tapes 21 - 22

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

MEMBER VISTING: **Rep. Wayne Krieger**

STAFF PRESENT: **Sandy Thiele-Cirka, Committee Administrator**
 Linda K. Gatto, Committee Assistant

MEASURES/ISSUES HEARD:
 Public Hearing
 HJM 4
 Oregon Department of Fish & Wildlife (ODFW)
 Hatchery Fish, Wild Fish, Native Fish Conservation Policy
 Public Hearing and Work Session
 HB 2457

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 21, A		
003	Chair Jenson	Calls the meeting to order at 1:10 p.m. and opens public hearing on HJM 4.
<u>PUBLIC HEARING - HJM 4</u>		
010	Sandy Thiele-Cirka	Administrator. Summarizes HJM 4.
016	Terry Thompson	Former Representative. States the Marine Mammal Act (MMA) is about to be re-authored and the goal is to resolve the conflict between protecting pinnipeds and salmon recovery under the Endangered Species Act (ESA).
043	Thompson	Relates a sea lion story.
059	Robin Brown	Marine Mammal Program Leader, Oregon Department of Fish & Wildlife (ODFW). Submits (EXHIBIT A) and reviews.
129	Chair Jenson	Questions if the language is specific enough.
138	Brown	Responds the language resulted from discussions with NMFS and the State of Washington.
152	Chair Jenson	Questions if the State of Washington is proceeding with a similar action.
158	Brown	Responds that the states of Washington and California have addressed this issue in previous sessions.

160	Rep. Wirth	Questions what does the removal of pinnipeds entail.
167	Brown	Provides a brief background on the development of this proposal. Clarifies the non-lethal removal of sea lions that prey in particular locations.
218	Rep. Wirth	Questions the definition of adequate to ensure.
225	Brown	Responds that NMFS has made stock determinations on marine mammals.
259	Rep. Thompson	Comments on the need for more information to make good management decisions.
286	Rep. Krieger	Notes that in the budget presented to the Legislative Task Force on Pacific Fisheries Management presented by the states of Oregon, Washington, California, and the federal government amounted to \$38 million to study pinnipeds.
293	Rep. Thompson	Responds the money goes to Alaskan fisheries to study Stellar sea lions and that very little money is allocated to Oregon.
315	Rep. Kruse	Questions when the authority was transferred to NMFS.
327	Brown	Answers that the MMA does provide an option for the state to regulate, but it is difficult to implement.
400	Glen Stonebrink	Executive Director, Oregon Cattlemen's Association. Submits (EXHIBIT B) , testifies in support of the bill and discusses SB 31.
TAPE 22, A		
029	Chair Jenson	Closes the public hearing on HJM 4, opens informational meeting on hatchery and wild fish.
037	Ed. Bowles	Fish Division Director, ODFW. Provides an overview of (EXHIBIT C) .
083	Bowles	Continues with overview, part III.
150	Rep. Tomei	Request clarification on what is meant by altered spawn timing and altered age of adults.
156	Bowles	Responds this relates to wild fish risk survival.
170	Rep. Tomei	Questions risk factors for wild fish.
173	Bowles	Answers the wild fish characteristics displayed are the best in a specific watershed. Provides an example of disease transmission.
204	Chair Jenson	Clarifies that a condition could be amplified in the wild.
223	Rep. Leonard	Questions to what extent a hatchery fish is less adaptable to the wild due to hatchery practices.
233	Bowles	Responds there are behavior shifts.
266	Rep. Leonard	Questions the differences between a fish raised in a natural setting and a first generation native fish.
283	Bowles	Responds the focus has been to provide a survival advantage.
307	Rep. Leonard	Clarifies to the extent there are differences, to what extent can those differences be attributed to hatchery practices.
310	Bowles	Responds the differences can be attributed to hatchery practices. Notes that which practices effect behavior or genetics are unknown.
342	Rep. Leonard	Expresses that an explanation as to why a fish genetically identical to a native fish cannot be raised in a hatchery setting is important.
352	Bowles	Responds the goal is to minimize a hatchery fishes ability to adapt to a new environment.
392	Rep. Leonard	Clarifies the concern is if can natural conditions be replicated and produce genetically equal fish.
TAPE 21, B		
048	Bowles	Resumes presentation on conservation hatcheries.

076	Rep. Krieger	Asks how many generations does it take for a fish to become naturally sustainable.
081	Bowles	Answers the longer the fish lives in a changeable environment the better.
123	Rob Jones	Branch Chief Hatcheries and Inland Fisheries, National Marine Fisheries Service (NMFS). States that one measure of success is determined by how well the fish are able to sustain in the wild.
180	Jones	Notes the issue is how to accomplish a sustainable population in the wild while using hatcheries.
211	Rep. King	Comments that an acceptable term that defines an understanding would be helpful.
242	Jones	Responds that NMFS's perspective is a fish that survives in the wild and produces offspring that survive in the wild is wild.
274	Rep. King	Reiterates a term that defines fish that share characteristics that indicate at what phase toward being wild they are in is being requested.
294	Jones	Responds that NMFS does not title fish as hatchery or wild, but rather characterize fish based on biological and behavioral characteristics.
315	Bowles	Concurs that using the term hatchery or wild does not accommodate a descriptive term for what level of wildness a fish is.
339	Rep. King	Questions whether DNA studies have been done to identify the genetic diversity of different runs.
353	Jones	Responds there is a pioneer effort being done in the Salmon River basin on sockeye salmon. Discusses establishing a level for recovery.

TAPE 22, B

003	Rep. Tomei	Requests clarification relating to hatchery fish endangering wild fish.
010	Bowles	Responds that this issue is critical. Explains the wild fish that has survived in the wild for generations are better equipped for continued survival and hatchery fish may not have developed this ability. Continues clarification noting that hatchery fish can amplify the total fish within the wild fish causing the reduction of their ability to survive in the wild.
076	Rep. Wirth	Comments on natural selection and questions if the focus should be on habitat rather than fish.
088	Jones	Explains that a comprehensive approach considers harvest, hatchery reform, habitat, ocean conditions, and predators.
096	Rep. Wirth	Questions what happens if the best habitat is established but does not meet NMFS requirements.
110	Jones	Responds that experience has indicated that fish can be restored and recover to satisfy the ESA requirements.
130	Chair Jenson	Closes information meeting and opens a public hearing on HB 2457.

PUBLIC HEARING – HB 2457

152	Thiele-Cirka	Summarizes HB 2457.
191	Terry Thompson	Former Oregon Representative. Explains the need for regular reporting.
206	Jim Neifert	Legislative Coordinator for Oregon Parks and Recreation (OPRD). Submits (EXHIBIT D) . Currently, ORS 805.256 provides OPRD with half the funds from the plate sales. Provides background information on HB 2457.

262	Neifert	Reviews successful park projects.
300	Rep. Lee	Questions how the other half of the funds are used.
306	Thompson	Responds that ODOT receives the other half and those projects are approved through OWEB.
346	Chair Jenson	Closes the public hearing on HB 2457 and opens a work session.
350	Rep. Knopp	MOTION: Moves HB 2457 to the floor with a DO PASS recommendation.
351		VOTE: 8 – 0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 – Leonard
352	Chair Jenson	The motion CARRIES.
		Rep. SMITH will lead discussion on the floor.
355	Chair Jenson	Closes the work session and adjourns the meeting at 3:00 p.m.

Submitted By,

Reviewed By,

Linda K. Gatto,
Committee Assistant

Sandy Thiele-Cirka,
Committee Administrator

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EXHIBIT SUMMARY

- A. HJM 5, ODFW Statement and Report to Congress from NOAA, Robin Brown, 23 pp.**
- B. HJM 5, US Code: Title 16, Section 1379 and 1389, Glen Stonebrink, 4 pp.**
- C. Hatchery, Wild and Native Fish, written testimony, Ed Bowles, 5 pp.**
- D. HB 2457, written testimony and published material, Jim Neifert, 9 pp.**