

JOINT COMMITTEE ON STREAM RESTORATION
AND SPECIES RECOVERY

March 6, 1999 Columbia River Maritime Museum

9:00 AM Tapes 42 - 45

MEMBERS PRESENT: Sen. Ted Ferrioli, Co-Chair

Rep. Ken Messerle, Co-Chair

Rep. Bob Jenson, Vice-Chair

Sen. Joan Dukes

Rep. Al King

Rep. Randy Leonard

Rep. Lynn Lundquist

Rep. Bruce Starr

VISITING MEMBERS: Rep. Elaine Hopson

Rep. Jackie Taylor

MEMBERS EXCUSED: Sen. Ginny Burdick, Vice-Chair

Sen. David Nelson

Sen. Veral Tarno

Rep. Jeff Kruse

Rep. Susan Morgan

Rep. Terry Thompson

STAFF PRESENT: Judith Callens, Administrator

Stephen Kosiewicz, Administrative Support

MEASURE/ISSUES HEARD: Informational Meeting

Net-Pen Select Area Fishery Project

Pinniped Report

Public Hearing

Measure 66 ñ Salmon Recovery and Watershed Restoration

Oregon Department of Fish and Wildlife Reorganization

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
[Due to technical difficulties, the volume of the recording on all of the tapes is very low.]		
TAPE 42, A		
004	Chair Messerle	Calls the committee to order at 9:18 a.m. Reviews the agenda for today's meeting. Introduces Rep. Taylor and Rep. Hopson as visiting members.
034	Sen. Dukes	Comments on the presentation that will be made by Mr. Fick and Mr. Hill on the Net-Pen Select Area Fishery Project.
<u>NET-PEN SELECT AREA FISHERY PROJECT</u>		
046	Steve Fick	Salmon for All. Comments on what the presentation will cover.
057	Fick	Begins slide presentation on the Net-Pen Select Area Fishery Education Project.
108	Fick	Continues slide presentation.
146	Jim Hill	Project Director, Clatsop Economic Development Council. Submits written material (EXHIBIT A) and continues slide presentation.
197	Hill	Continues slide presentation.
244	Hill	Continues slide presentation.
292	Hill	Continues slide presentation.
311	Fick	Notes that they establish the market price for the fish without any consideration for other salmon on the market.

326	Hill	Continues slide presentation.
350	Chair Messerle	Asks to receive copies of the slides from the presentation.
359	Fick	Comments on the need for funding of fisheries.
388	Sen. Ferrioli	Comments on a recommendation from the National Oceanic and Atmospheric Administration to allow fishermen to take pinnipeds. Asks if they have heard similar direction in regard to Caspian Terns or Cormorants.
TAPE 43, A		
001	Fick	Responds that rice is being planted on Rice Island to prevent these predatory birds from using it as a rearing area. Notes that ODFW is opposed to this.
020	Sen. Ferrioli	Asks if they are allowed to conduct hazing activities on predatory birds.
026	Hill	Responds that the hazing of Cormorants was allowed in a couple of estuaries down the coast. Notes ways they are trying to deal with the problem of predation by birds.
064	Rep. King	Asks how they determine the termination point of the fish.
070	Hill	Responds that a fish figures out, or imprints, the last few hours of its smoltification process.
096	Rep. King	Asks for clarification that gill netting is an effective form of capture.
099	Hill	Responds that gill nets are a very effective and efficient way to clean these fish up.
112	Chair Messerle	Asks if they have any idea where the 10% that stray go.
113	Hill	Responds that in Youngs Bay they stray to the local hatchery and the others stray to streams in Washington.
129	Fick	Comments on his understanding of the intent of Measure 66. Testifies on the reorganization of ODFW as proposed in SB 778.
179	Chair Messerle	Notes that SB 778 is a placeholder bill and that his intent in introducing it was to open debate on the issue.

186	Fick	Suggests the committee look at Washington and California in terms of having a Governor-appointed director for ODFW.
194	Chair Messerle	Notes that there is a lot to be learned from the other states, but Oregon has a lot of room to improve.
<u>MEASURE 66 n SALMON RECOVERY AND WATERSHED RESTORATION</u>		
216	Judith Callens	Explains the provisions of Measure 66.
243	K. C. Van Natta	Director, Columbia County Soil and Water Conservation District. Testifies on the delivery system of Measure 66 funds to projects on the ground. Expresses concern about the auditing requirements of Measure 66.
301	Chair Messerle	Asks Mr. Van Natta to explain what his soil and water conservation district has done with the grants they have received.
311	Van Natta	Explains how the various grants were used.
351	Chair Messerle	Notes that as the Legislature wants more accountability, they need to allow funding so local groups can have the staff to do this.
362	Van Natta	States that his soil and water conservation district decided not to apply for some grants because the reporting and the auditing was not worth the effort.
369	Rep. King	Asks for clarification on what Mr. Van Natta meant when he stated his feeling that the state had some redundant administration.
375	Van Natta	Responds that there is currently a system for delivering the money to the ground level, and that is through GWEB.
392	Rep. King	Asks Mr. Van Natta if he is suggesting that watershed councils should be eliminated.
393	Van Natta	Responds that the closer they can get to the people working on the ground level, the better use they will get out of the money.
419	Rep. King	Asks for clarification that Mr. Van Natta suggested in his testimony that watershed councils should be consolidated into the soil and water conservation districts.
424	Van Natta	Responds that the logical solution is to have the soil and water conservation districts administer the funds for the watershed councils.

TAPE 42, B		
012	Chair Messerle	Notes that there are areas in the state where the soil and water conservation district works well with the watershed council and other areas where they do not. States that Mr. Van Natta is suggesting that this relationship be encouraged where possible.
019	Van Natta	States that in their watershed council they have attempted to put small groups of people together with each stream.
033	Jim Bergeron	Secretary, Nickolai-Wickiup Watershed Council. Submits and reads written testimony on the need for adequate funding for stream restoration and his concerns about the reorganization of ODFW (EXHIBIT B) .
093	Chair Messerle	Notes that there are 85 watershed councils in the state. States that the Legislature's problem is how to fund all of them.
101	Sen. Dukes	Comments on the reason for the increase in the number of watershed councils.
108	Bergeron	States that one of the things done in Clatsop County was to have small watershed councils and a countywide coordinator.
132	Sen. Ferrioli	Asks Mr. Bergeron to give some examples of how the Legislature has interfered with the decisions that are being made at the local level.
136	Bergeron	Responds that some of this has changed as the watershed councils have explained to the Legislature their situation.
187	Dick Pellissier	Smith Lake Improvement, Inc. Submits and reads written testimony on using Measure 66 funds for improvement of lake watersheds (EXHIBIT C) .
206	Chair Messerle	Notes that the document Mr. Pellissier is referring to in his testimony is only a proposal from the Oregon Business Council. States that the committee is looking at all the proposals they get in regard to the use of Measure 66 funds.
216	Pellissier	Continues reading written testimony.
248	Pellissier	Continues reading written testimony.
284	Chair Messerle	Notes that lakes are tremendous habitat for Coho and other species and there is a problem with noxious weeds.
303	Bill Boone	Chairman, Necanicum Watershed Council. Submits and reads written testimony on the use of Measure 66 funds (EXHIBIT D) .

353	Boone	Continues reading written testimony.
363	Chair Messerle	Notes that Mr. Boone raises a good point that watershed councils are often thought of as only doing projects and their potential, as well as their work in conflict resolution, is not talked about very much.
383	Jim Closson	Coordinator, Clatsop County Watershed Councils. Submits written testimony (EXHIBIT E) and testifies on the need for funding watershed council support positions.
TAPE 43, B		
010	Chair Messerle	Notes that there is strong support from the committee and other legislators to provide funding for watershed council coordinators.
022	Jerome Arnold	Member, Ecola Creek Watershed Council. Testifies on the perceptions people have about watershed councils.
068	Arnold	Continues testimony by discussing how workable the existing structure of GWEB is.
119	Rep. Taylor	Notes that Mr. Arnold has done a good job of portraying the work of watershed councils and what their needs are.
129	Chair Messerle	Notes that the efforts of the volunteers are the reason for the success of the watershed councils.
131	Rep. Lundquist	Agrees with Mr. Arnold's comments about doing away with the politics and the polarization and getting the job done.
134	Arnold	Notes that this is the way it is happening right now with GWEB.
149	Bill DeJager	Chairman, Upper Nehalem Watershed Council. Testifies in support of watershed councils and on the need for continued funding.
208	DeJager	Continues testimony on the need for watershed council funding.
261	Jeanne Norton	President, Oregon Division of the Izaak Walton League. Testifies in support of the work done by watershed councils.
<u>DEPARTMENT OF FISH AND WILDLIFE REORGANIZATION</u>		
321	Chair Messerle	Notes his reasons for proposing SB 778. States that he would like to hear ideas

		the public may have to help ODFW be more effective and do their job better.
357	Tom Wolf	Oregon Council Chair, Trout Unlimited. Testifies in opposition to reorganization of ODFW.
397	Sen. Ferrioli	Asks if Measure 66 dollars should be used to help cover ODFW's \$10 million shortfall.
406	Wolf	Responds that they should not.
423	Maddy Sheehan	Board member, Northwest Sportfishing Industry Association. Submits and reads written testimony on her organization's concerns with reorganizing ODFW (EXHIBIT F) .
TAPE 44, A		
045	Sheehan	Continues reading written testimony.
073	Sen. Ferrioli	Comments on the issue of how the hemorrhage of sport fishermen affected the financial support for ODFW. Asks Ms. Sheehan to comment on the issues of marketing and outreach in regard to ODFW.
098	Sheehan	States that she is willing to work with ODFW on making the fishing season synopsis more accessible to fishermen. Notes that in her new book she is going to communicate what sport fishing opportunities are available in Oregon.
111	Sen. Ferrioli	Asks Ms. Sheehan to comment on the wild fish policy.
113	Sheehan	Expresses support for the wild fish policy.
127	Sen. Ferrioli	Asks if there is anything ODFW can do to bring fishermen back to the sport.
132	Phil Donovan	Government Relations, Northwest Sportfishing Industry Association. Responds that they are looking into involving ODFW at sportsmen's shows.
147	Rep. King	Comments on redirecting license fees toward benefiting fisheries and questions whether this would be perceived as backfilling.
160	Sheehan	[Comments inaudible]
166	Rep. King	Notes that most of the license fees have gone into doing the biology work. Asks if using Measure 66 funds for restoration activities would be considered backfilling of money that had come from licenses.

182	Donovan	Notes the complexity of funding sources. Responds that his organization wants to see the license fees go toward programs that directly benefit sport fishermen.
195	Rep. Lundquist	Comments on the Board of Agriculture's structure and states that he is not sure that any system gets the politics out. Asks Ms. Sheehan if she disagrees with this.
206	Sheehan	Responds that her understanding, as presently constructed, is that no one governor would be appointing all the commissioners, so there is an opportunity for a variety of points of view to be represented [response inaudible at times].
214	Rep. Lundquist	Asks Ms. Sheehan if one committee would do the oversight she suggested in her testimony. Asks who would be involved with this oversight committee.
223	Donovan	Responds that individual members of the commission could be appointed to this committee, along with legislators and interest groups.
238	Sheehan	Responds that she would see it working a bit like the watershed councils.
245	Chair Messerle	Notes that Measure 66 does not generate new revenue. States that it is the committee's job to balance out how the Measure 66 funds will enhance parks and the Oregon Plan. Comments on his reason for proposing to reorganize the Fish and Wildlife Commission.
285	Rep. Lundquist	Notes that allocating the Measure 66 funds is a difficult situation.
309	Bob Eaton	Citizen. Testifies in opposition to reorganizing ODFW.
365	Eaton	Continues testimony in opposition to reorganizing ODFW.
404	Eaton	Continues testimony by discussing the issue of funding.
TAPE 45, A		
012	Eaton	Continues testimony by discussing the impact of the reduced salmon runs on Astoria.
032	Chair Messerle	Notes that the committee has been struggling with the issue of the lack of science. Notes that a lot of the stress put on ODFW and the state comes from a lack of commitment from the federal government.
052	Sen. Ferrioli	Notes three points Mr. Eaton made in his testimony. Comments on the lack of funding from the federal government.

087	Rep. Taylor	[Comments inaudible]
102	Jim Erickson	Citizen, Nehalem. Testifies in opposition to reorganizing ODFW.
120	Rep. King	Asks Mr. Erickson to explain radio tagging.
121	Erickson	Explains radio tagging.
170	Rod Harder	Executive Director, Oregon Sportsmen Defense Fund. Testifies in opposition to reorganizing ODFW.
216	Harder	Continues testimony in opposition to reorganizing ODFW.
262	Rep. Lundquist	Comments on the responsiveness of ODFW.
272	Harder	Comments that he has seen ODFW and the Fish and Wildlife Commission function well and be responsive to the customers.
301	Rep. Lundquist	Notes that there are different combinations out there for how a department is structured.
317	Shaun Maki	Citizen, Warrenton. Comments on predation by birds. Gives background information on Maki Farm.
368	Maki	Submits and reads written testimony on the need to remove dams on Cullaby Creek (EXHIBIT G).
415	Maki	Continues testimony by discussing the need for enforcement from ODFW.
TAPE 44, B		
008	Maki	Questions how projects can get on the list for Measure 66 funds.
013	Chair Messerle	Responds that this can be done through state agencies and through GWEB.
016	Rep. King	Suggests Mr. Maki work with his local watershed council on this issue.
020	Maki	Notes that he has joined the local watershed council and they have made progress in eliminating one of the three dams on Cullaby Creek.
035	Al Elkins	Representing the Oregon Hunters Association. Comments on the work he had

		done with Sen. Dukes on agency reorganization. Testifies on the need to identify what the problems really are and then find solutions to them.
090	Chair Messerle	Notes that he has talked with the director and Mr. Rohleder about this issue.
104	Joe Easley	Administrator, Oregon Trawl Commission. Testifies that the current structure of ODFW has worked well, but notes that there is room for improvement in any agency.
155	Easley	Continues testimony on the need for improvement in ODFW.
207	Chair Messerle	Comments on a conversation he had with the Director of Fisheries at Oregon State University.
220	Easley	Notes that out in the field the agency people phrase things in the negative.
235	Jeff Feldner	Commissioner, Department of Fish and Wildlife Commission. Gives background information on his appointment to the commission.
280	Feldner	Continues testimony by discussing whether reorganization would better serve the resources of the state.
328	Feldner	Continues testimony by discussing whether reorganization would make ODFW more responsive to the people.
394	Feldner	Continues testimony on whether reorganization would make ODFW more responsive.
TAPE 45, B		
006	Feldner	Continues testimony by discussing whether reorganization would make ODFW more efficient.
057	Sen. Ferrioli	Notes that the commissioner's job is a difficult one. Asks whether it is the commissioner's job to balance the equities and look at the multiple use, or support the advocacy role that is in ODFW's mission statement.
068	Feldner	Responds that it is a balance between the two.
079	Sen. Ferrioli	Comments that it appears there is an internal conflict between the advocacy versus the balancing.
094	Feldner	Notes that it is difficult to balance the roles of responsibility to the resource and

		responsibility to the people of the state.
110	Jim Greer	Director, Department of Fish and Wildlife. Testifies on ODFW's role and responsibilities.
154	Greer	Continues testimony by discussing ODFW's strategic operational plan.
206	Chair Messerle	States that he would like Mr. Greer to come back before the committee at a later time to discuss ODFW's strategic operational plan.
222	Sen. Dukes	Asks Mr. Greer if he believes hatchery fish are biologically inferior to wild fish.
227	Greer	Responds that they can be superior in terms of meeting the long-term goals and objectives for catch, and they can be inferior in terms of the long-term goals and objectives for survivability and creating sustaining populations over time.
257	Sen. Dukes	Asks if the hatchery fish should be kept separate from the wild fish.
259	Greer	Responds that in many areas they need to be.
262	Sen. Dukes	Questions how they can run a fishery program if they have to keep the hatchery fish separate from the wild fish.
264	Greer	Comments that what is happening right now is they are marking the fish to determine the differences between the two.
270	Sen. Dukes	Explains how this issue came to the committee's attention.
275	Greer	Comments that sometimes this has to do with the life history of the fish.
286	Sen. Dukes	States that she will be interested in seeing what ODFW brings forward in regard to improving its hatchery programs.
299	Chair Messerle	Announces that Monday's meeting will not start until 7:45 a.m.
305	Sen. Dukes	Introduces June Spence, Port of Astoria Commissioner.
314	Chair Messerle	Adjourns the committee at 12: 55 p.m.

Stephen Kosiewicz, Judith Callens,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ Net-Pen Select Area Fishery Project, written material, Jim Hill, 1 p

B ñ Measure 66, written testimony, Jim Bergeron, 2 pp.

C ñ Measure 66, written testimony, Dick Pellissier, 2 pp.

D ñ Measure 66, written testimony, Bill Boone, 2 pp.

E ñ Measure 66, written testimony, Jim Closson, 1 p

F ñ ODFW reorganization, written testimony, Maddy Sheehan, 4 pp.

G ñ ODFW reorganization, written testimony, Shaun Maki, 2 pp.