

JOINT COMMITTEE ON STREAM RESTORATION
AND SPECIES RECOVERY

April 12, 1999 Hearing Room 50

7:00 AM Tapes 80 - 81

MEMBERS PRESENT: Sen. Ted Ferrioli, Co-Chair

Rep. Ken Messerle, Co-Chair

Sen. Joan Dukes, Vice-Chair

Rep. Bob Jenson, Vice-Chair

Sen. David Nelson

Sen. Frank Shields

Sen. Veral Tarno

Rep. Al King

Rep. Jeff Kruse

Rep. Randy Leonard

Rep. Lynn Lundquist

Rep. Susan Morgan

Rep. Bruce Starr

Rep. Terry Thompson

STAFF PRESENT: Judith Callens, Administrator

Stephen Kosiewicz, Administrative Support

MEASURE/ISSUES HEARD: HB 3225 Public Hearing

HJM 7 Public Hearing and Work Session

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.

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TAPE/#	Speaker	Comments
TAPE 80, A		
004	Chair Ferrioli	Calls the committee to order at 7:15 a.m. Opens the public hearing on HB 3225.
<u>HB 3225 n PUBLIC HEARING</u>		
027	Mark Sytsma	Portland State University. Submits written material (EXHIBIT A) and testifies on the need to address aquatic nuisance species.
062	Rep. Messerle	Asks whether this would apply to the sediments as well [question inaudible at times].
067	Sytsma	Responds that this gets to the physical and biological integrity of the aquatic system. Notes that he is not minimizing the need to deal with these issues in the uplands.
082	Chair Ferrioli	Comments on the definition of uplands.
092	Sytsma	States what he believes the definition of uplands is. Clarifies the point he is trying to make.
104	Chair Ferrioli	Asks what some of the management tools are for dealing with nuisance species.
108	Sytsma	Responds that it depends on the type of species.
125	Chair Ferrioli	Asks how a species, such as zebra mussels, can be dealt with in an enclosed area like irrigation pipes.
132	Sytsma	Responds that zebra mussels are a frightening introduction.
146	Chair Ferrioli	Asks if a chemical agent is used to eliminate Hydrilla.
148	Sytsma	Responds that if a small infestation is found, it can be eradicated with chemical agents, but if the infestation is much larger, chemical agents would not be effective.
157	Rep. Thompson	Asks how effective the use of Black Carp is in eliminating zebra mussels.
158	Sytsma	Responds that Black Carp have not proven effective in eliminating zebra mussels in the long run.

167	Sen. Tarno	Asks if there are other lakes in the state that are salmonid habitats and have aquatic weed infestations.
170	Sytsma	Responds that many of the coastal lakes have problems.
178	Sen. Tarno	Asks for clarification that the changes Mr. Sytsma proposed on page 19, line 20 of the HB 3225-2 amendments has to do with the issue of weed control in lakes that rear and grow salmonids.
186	Sytsma	Responds that this is correct.
205	Chair Ferrioli	Explains that the committee plans to work through the HB 3225-2 amendments section-by-section.
223	Rep. Messerle	Notes that some committee members will not be able to attend tomorrow's meeting. Urges committee members to get back to the committee if they have concerns with the sections being reviewed tomorrow.
244	Chair Ferrioli	Closes the public hearing on HB 3225 and opens the public hearing on HJM 7.
<u>HJM 7 ñ PUBLIC HEARING</u>		
248	Judith Callens	Committee Administrator. Explains the provisions of HJM 7 and the proposed ñ1 amendments.
279	Chair Ferrioli	Comments on the report NMFS presented to Congress on the issue of pinniped predation.
294	Rep. Thompson	Comments on why he proposed the ñ1 amendments.
318	Rep. Messerle	Questions what level of management they are looking for.
336	Rep. Leonard	States that he would like to hear the argument against lethal pinniped removal.
351	Robin Brown	Department of Fish and Wildlife. Submits written testimony on HJM 7 (EXHIBIT B) and gives background information on the Marine Mammal Protection Act.
400	Brown	Continues giving background information on the Marine Mammal Protection Act.
TAPE 81, A		

010	Brown	Comments on NMFSi proposal to Congress for dealing with pinniped predation.
026	Rep. Morgan	Asks what the reason was for there being a bounty on seals and sea lions in the past.
028	Brown	Responds that bounties were in effect primarily because these marine mammals were competing with humans for fish resources.
038	Rep. Morgan	Asks if there was a period of time when these bounties were in effect.
041	Brown	Responds that there were bounties in Oregon and Washington from the early 1920s through the late 1960s.
046	Rep. Thompson	Comments on the impact marine mammals have had on fish populations.
070	Rep. Morgan	Asks why the decision was made to have a bounty on seals and sea lions at the particular time period Mr. Brown gave earlier.
078	Brown	Notes that long before the bounties were in place, seals and sea lions were killed. Responds that he does not know why the bounties were put on the books at that point in time.
089	Rep. Thompson	Comments on his family's experience with marine mammal predation.
103	Rep. Leonard	Asks what the historic balance has been between the marine mammal populations and fish populations.
110	Brown	Responds that this is a difficult question to answer. Notes that seals, sea lions, and many marine fish species, including salmonids, have coexisted successfully for tens of thousands of years.
132	Sen. Dukes	Comments on the bounty system that used to be in place for seals and sea lions.
157	Chair Ferrioli	Notes that NMFSi report to Congress goes further than HJM 7 does.
162	Rep. Thompson	Notes that commercial fishermen were allowed to protect their catch and their gear for a few years after 1972. Asks what year was this authority lost.
166	Brown	Responds that commercial fishermen were allowed to protect their gear and catch up until 1994.
177	Rep. Thompson	Notes that there was a time period where commercial fishermen did not have to report their take.

184	Rep. Messerle	Questions whether the committee should indicate in HJM 7 their support for what NMFS recommended in their report to Congress.
193	Rep. Leonard	States his surprise that there is no one present to testify against allowing limited lethal removal of marine mammals.
212	Rep. Messerle	Asks Mr. Brown whether the committee should refer to the management level or the population levels that they should be setting their goals for in HJM 7.
224	Brown	Responds that this is within the committee's purview to do so.
248	Rep. Thompson	Asks if Congress has begun its review of the Marine Mammal Protection Act.
250	Brown	Responds that he does not believe they have yet.
256	Rep. Thompson	States his hope that the committee will be advised of Congress' review of the Act.
272	Sen. Tarno	Expresses support for the 11 amendments.
279	Joe Rohleder	Assistant to the Director, Department of Fish and Wildlife. Comments on the Pacific States Fisheries Commission.
315	Sen. Shields	Asks what the time lag is between studying the issue and implementing this kind of management practice.
319	Chair Ferrioli	Responds that the study has been completed and the recommendation has been made, so Congress could act on it and give this authority back to states.
329	Rep. Thompson	Notes that he does not have a conflict of interest with HJM 7.
335	Chair Ferrioli	Closes the public hearing and opens the work session on HJM 7.
<u>HJM 7 is WORK SESSION</u>		
338	Sen. Tarno	MOTION: Moves to ADOPT HJM 7-1 amendments dated 4/9/99.
		VOTE: 13-0 EXCUSED: 1 - Nelson

342	Chair Ferrioli	Hearing no objection, declares the motion CARRIED .
343	Sen. Tarno	MOTION: Moves HJM 7 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
		VOTE: 13-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Nelson
356	Chair Ferrioli	The motion CARRIES. REP. THOMPSON will lead discussion on the floor.
362	Chair Ferrioli	Closes the work session on HJM 7. Adjourns the committee at 8:08 a.m.

Submitted By, Reviewed By,

Stephen Kosiewicz, Judith Callens,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 3225, written testimony, Mark Sytsma, 2 pp.

B ñ HJM 7, written testimony, Robin Brown, 1 p