

SENATE COMMITTEE ON  
AGRICULTURE, NATURAL RESOURCE AND THE ENVIRONMENT

March 15, 1995 Hearing Room 343  
3:00 P.M. Tapes 52, 53

MEMBERS PRESENT:

Sen. Bob Kintigh, Chair  
Sen. Bradbury  
Sen. Bill Dwyer  
Sen. Tom Hartung  
Sen. Rod Johnson, Vice-Chair  
Sen. Marylin Shannon

MEMBER EXCUSED:

STAFF PRESENT:

Bruce McIntosh, Committee  
Administrator  
Catrina Victor, Committee Assistant

MEASURES HEARD: IICR-4, Public Hearing

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

Tape 52A.

05 Chair Kintigh: Meeting called to order 3:09 P.M.  
15 Opens PUBLIC HEARING on HCR-4  
17 Ross Mickey: See exhibit B. Reviews his handout in detail. Gives the reasons owl is listed as endangered. Displays graphs of verified sightings of the owls.  
90 Chair Kintigh: Wasn't the Olympic Peninsula a limited and isolated area of study?  
97 Mickey: Yes. proof and verified sightings of the owls existence, since the listing, has grown drastically.  
120 Sen. Dwyer: Are you going to review the "indicator" issue today?  
130 Mickey: No. It doesn't have anything to do with the listing. It has been found that the owls are located in many more areas than first studied. Their stands and habitat is different than originally thought.

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206 Sen. Dwyer: However, cutting the habitat could still feasibly impact the owl populations.

235 Mickey: Every time a statement has been made about the owl, numbers, breeding and/or reproducing habits, through research, have been disproved as additional studies were conducted.

240 Sen. Dwyer: How long do the owls live?

242 Mickey: Approximately 12-15 years.

285 Sen. Bradbury: You've said that with these studies the researchers have not been able to agree on the owl numbers. Please explain.

303 Mickey: Provides information to explain Sen. Bradbury's questions within exhibit B. Describes the "capture-recapture" method of determining

the total number of owls. Reviews two additional studies and models used in trying to find actual owl numbers. Each study provided conflicts in the estimates of the population declines in the number percentages.

Tape 53A.

08 Mickey: If we are going to list the owl under one set of studies than we should delist the owl the same way. If this is to be true, the owl should be delisted because of the research information recently received.

15 Sen. Dwyer: Reads a statement and possible suggestions for delisting. If recent "sound and verifiable" data proves a substantial increase in the spotted owl population, then it should be removed from listing. Do you agree?

38 Mickey: We should use the same criteria in both standards to list and delist.

44 Sen. Bradbury: What did they use to list the owl originally?

56 Mickey: The summary provided explains the requirements. The owls were thought to have only lived in old growth forest, so that's were they looked. They were wrong.

94 Sen. Dwyer: Do you like "credible data" and "sound verifiable?" Which definition do you like best?

100 Mickey: "Credible" is subjective. "Verifiable" can be proven. I would like both descriptions used.

121 Sen. Dwyer: You are saying, originally the whole listing process was based on someone's opinion, not verifiable information.

126 Rep. Liz Vanleenwen: "I hope you look on this kindly." Please pass this through committee. Uses visual aids to display how the owls move.

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210 Sen. Dwyer: Feels people, as well as the owls can work together without killing all of the owls. The allowable cut was a major factor in determining the listing.

250 Sen. Johnson: Would you, in general, support the bill if we changed the wording to "sound verifiable science?"

275 Rep. VanLeeuwen: Yes. If they do not require more data to delist the owl.

291 Sybil Acherman: Audobon Society. Respectfully opposes HCR4. See exhibit C.

We also wish to advocate the opinions of Eric Forsman, Research Wildlife Biologist.

See attached letter to Audobon exhibits in C.

343 Sen. Johnson: How many owls did your group count?

360 Acherman: I do not know. Please discuss this with Forsman for additional data. I am not able to answer your questions because I am not an expert.

362 Sen. Johnson: Is he here?

365 Acherman: No. I wish to defer your questions to Forsman the biologist.

367 Sen. Johnson: Since he's not here, we can't. Do you recall what numbers  
were published and relied on, in regards to the spotted owl at the time of  
listing?

375 Acherman: I can't answer that.

377 Sen. Johnson: "So you don't have a clue?"

380 Acherman: I do not know specifics.

382 Sen. Johnson: Whether the numbers have doubled or tripled?

385 Acherman: I do not know. What you can do is talk to Forsman.

387 Sen. Johnson: Is the scientific data better now or when the owl was  
listed?

390 Acherman: Right now the science is unknown. You have heard the debate  
by the previous witnesses.

400 Sen. Johnson: I've asked you a question. "Please, I'd like an answer.  
Yes or No is it better now?"

402 Acherman: It is better now.

405 Sen. Johnson: So what you are saying is, the science today is much  
better than it was 5  
years ago, but it's not good enough to delist the owl now?

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407 Acherman: You're saying you want to delist a species without looking at  
the data.

411 Sen. Johnson: By definition then, the scientific evidence 5 years ago  
was "grossly  
inadequate." If it's grossly inadequate today than it must have been  
grossly inadequate  
then. Therefore, the decision to list the owl created economic havoc based  
on grossly  
inadequate science.

417 Acherman: If that is true, then you want to make sure the science isn't  
bad at present.  
You must have enough data to delist the owl as well.

Tape 52B,

01 Chair Kintigh: Respectfully disagrees with the witness.

04 Sen. Bradbury: Appreciates the witness and her courage to testify.

26 Sen. Dwyer: We do not expect you to know all of the scientific data  
requested.

Appreciates the witnesses input, though doesn't agree with her information.

47 Chair Kintigh Meeting adjourned 4:08 P.M.

Submitted by,      Reviewed by,      /

Catrina Victor      ce McIntosh  
Committee Assistant      Committee Administrator

EXHIBIT SUMMARY:

A-HCR-4- 1 pg.

B-Testimony/study presented by Ross Mickev- 14 pg.

C-Testimony from Svbil Acherman/E. Forsman- 2 pg.

D-Testimony submitted by Charles Meslow- 5 pg.

E-Spotted Owl Study presented by Jonathan Bart- 49 pg.

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