

HOUSE COMMITTEE ON
NATURAL RESOURCES
SUBCOMMITTEE ON AGRICULTURE & FORESTRY

Hearing Room
Tapes 7 - 9

MEMBERS PRESENT:

REP. BILL FISHER, Chair
REP. TONY CORCORAN, Vice-Chair
REP. LARRY WELLS
REP. JIM WELSH
REP. TIM JOSI

STAFF PRESENT:

PAT ZWICK, Committee Administrator
GAIL E. BOESCH, Committee Assistant

MEASURES HEARD:

HB 2120 - 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 7, A

005 CHAIR FISHER: Calls the meeting to order at 1:05 pm.

Opens Public Hearing on HB 2120

Witnesses: Jim Lind, North Santiam Watershed Council
Rudy Rosen, Oregon Department of Fish & Wildlife
Jim Greer, ODF & W
Jill Bowling, Dept. of Forestry
Greg Miller, State Timber Purchasers
Mike Miller, Associated Oregon Loggers
Jim Myron, Oregon Trout
Jean Shaffer, Sierra Club
Glen Spain, Pacific Coast Federation of Fishermen
Ken Johnson, Citizen

010 STAFF ZWICK: Provides overview of HB 2120, Exhibit A.

053 JIM LIND, NORTH SANTIAM WATERSHED COUNCIL: Submits Exhibit B, and reads from it. Supports stronger Endangered Species Act. Opposes HB 2120.

100 - Continues reading from Exhibit B, discussing sustainable resource use.

150 LIND: Reads from testimony regarding extinction of salmon runs and man's

responsibility to protect threatened species; emphasizes wise sustainable resource stewardship.

206 REP. WELSH: Requests Mr. Lind's opinion on what he would do for a more

strengthened Endangered Species Act.

220 RUDY ROSEN, OREGON DEPT. OF FISH & WILDLIFE: Submits Exhibit C and reads from it, supports HB 2120 with modifications.
273 - Legislative changes can facilitate constructive activities that help species and avoid listings.
328 - Suggests and explains modifications, referring to Exhibit C ; recommends a work group.
380 - Continues to read from Exhibit C regarding economic evaluation.
426 - Suggests formal peer review process to evaluate merit of listing decisions, citing comparisons and differences between state and federal listing processes.

TAPE 8, A

045 REP. CORCORAN: Refers to previous discussions of 'verifiable science' and questions the processes described in Mr. Rosen's testimony (Exhibit C).

054 ROSEN Answers that objective independent technical peer reviews would provide the kind of confidence all people are seeking, insuring the credibility of the information used in the administrative process.

061 REP. JOSI: Comments regarding Mr. Rosen's proposed work group to come up with better ESA plan, encourages committee to do it.

068 REP. WELSH: Questions Mr. Rosen about "avoidance of listing" (Exhibit C).

088 JIM GREER, WILDLIFE DEPT. CHIEF, OREGON DEPT. OF FISH & WILDLIFE: Provides further comment, refers to a "watch list" for sensitive species. Need to identify habitat needs.
120 - Identify areas of protection, protect limited areas and key habitat types.

179 REP. WELSH: Questions whether we have good enough science, considering non-manmade influences on species, to make good decisions.

187 ROSEN: Responds that natural disasters can't be controlled; have sufficient science to account for them, predict them as best we can, and adjust.

204 CHAIR FISHER: Suggests considering target population numbers for endangered species to remove them from list.

220 ROSEN: Describes listing process and comments that by the time a species is listed, we should know what needs to be done to reestablish populations.

- Preliminary estimates could provide population goals.

269 JILL BOWLING, STATE LANDS PROGRAM DIRECTOR, DEPT. OF FORESTRY: Submits Exhibits D & E, and reads from Exhibit D which discusses some broad policy concerns.
360 - Recommends work group and expresses interest in joining.
374 - Offers specific comments relating to HB 2120, and continues reading Exhibit D.

TAPE 7, B

007 - Continues reading from Exhibit D, Economic impacts.

041 CHAIR FISHER: Comments that he will wait for testimony on HB 2420, Monday, to set up a work group.

051 REP. JOSI: Questions make up of work group.

055 CHAIR FISHER: Responds that he will try to include as many as possible.

070 GREG MILLER, DIRECTOR , STATE TIMBER PURCHASERS DIVISION, OREGON FOREST INDUSTRIES COUNCIL: Submits Exhibit F, offers modifications to HB 2120. Contrasts Federal and State Endangered Species Act.

117 - Continues to read from Exhibit F, and discusses "Option 9".

160 G. MILLER: Lists suggested changes to HB 2120, reading from Exhibit F. Notes that the term 'verifiable science' is in current law.

217 MIKE MILLER, ASSOCIATED OREGON LOGGERS: Discusses impact of recovery plans, encourages their use.

287 JIM MYRON, OREGON TROUT: Submits Exhibit G and suggests that legislators not be included in work group.

355 JEAN SHAFFER, SIERRA CLUB: Submits and reads from Exhibit H, in opposition to HB 2120. (Submits Exhibit I from Louise Bilheimer, for the record.)

410 - Continues reading from Exhibit H, regarding proposed amendments to the bill.

TAPE 8, B

020 SHAFFER: Discusses data verification vs. best available information (Exhibit H)
- State listing as opposed to Federal listing to Endangered Species Lists.

038 REP. CORCORAN: Requests clarification that the methodology of observation is being reviewed.

045 SHAFFER: Responds, yes; methodology, timing, verification of approved methodology.
- Continues discussing problems of verifying data collected in the wild.

070 CHAIR FISHER: Requests clarification of critical comments regarding questioning and public testimony.

110 SHAFFER: Elaborates concerns about process of acquiring testimony using depositions and cross-examinations; considers it intimidating and inappropriate.

130 REP. JOSI: Leaves the meeting at approximately 2:30 pm.

135 REP. UHERBELAU: Clarifies Ms. Shaffer's statements, that she is discussing an adversarial process vs. using testimony as a fact finding situation.

161 GLEN SPAIN, NW REGIONAL DIRECTOR, PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATION: Submits Exhibit K, opposes HB 2120 in present form. Considers it "unworkable".

220 SPAIN: States that HB 2120 would result in complete halt to salmon

recovery efforts.

270 - Urges better management of species.

321 - Stresses obligation to protect natural resources.

410 SPAIN: Claims that "the biggest single problem with the Endangered Species Act is that it maintains the situation at its' lowest level."

412 KEN JOHNSON: Reads Exhibit L, in opposition to HB 2120.

TAPE 9, A

028 JOHNSON: Continues reading, emphasizes studying all aspects of costs in lost profits and jobs normally attributed to species listing.

056 - Notes benefits of species listing.

070 STAFF: Exhibits M, N and O are submitted for the record.

075 CHAIR FISHER:
Closes Public Hearing on HB 2120

080 ADJOURNS MEETING AT 3:03 pm.

Submitted by, Reviewed by,

GAIL E. BOESCH PAT ZWICK
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

- A - HB 2120 - Staff Measure Summary -- Pat Zwick, Committee Administrator -- 1 page.
- B - Testimony on HB 2120 -- Jim Lind -- 9 pages.
- C - Testimony on HB 2120 -- Rudy Rosen, Director, Oregon Department of Fish & Wildlife -- 11 pages.
- D - Testimony on HB 2120, dated Feb. 10, 1995 -- Jill Bowling, State Lands Program Director, Oregon Department of Forestry -- 6 pages.
- E - Testimony on HB 2120, dated Feb. 6, 1995 -- Jill Bowling, Oregon Department of Forestry 4 pages.
- F - Testimony on HB 2120 -- G. Miller, Associated Oregon Loggers and State Timber Purchasers -- 3 pages.
- G - Testimony on HB 2120 -- Jim Myron, Oregon Trout -- 2 pages.
- H - Testimony on HB 2120 -- Jean Shaffer, Sierra Club, Oregon Chapter -- 2 pages.
- I - Testimony on HB 2120 -- Louise Bilheimer, State Conservation Coordinator, The Pacific Rivers Council -- 1 page.
- J - Testimony on HB 2120 -- Glen Spain, Pacific Coast Federation of Fishermen's Associations -- 5 pages.
- K - Testimony on HB 2120 -- Ken Johnson -- 3 pages.
- L - Statement in Support of HB 2120 -- Association of Oregon Counties - 1 page.
Submitted For The Record:
- M - Statement in Support of HB 2120 -- Council of Forest Trust Land Counties -- 1 pages.
- N - Testimony on HB 2120 -- Lisa Pattison -- 6 pages.

0 - Statement of Opposition to HB 2120 -- Audubon Society of Portland -- 3
pages.