

Senate Environment and Natural Resources Committee

April 8, 2015

Northwest RiverPartners Remarks on SB 125

Northwest RiverPartners (NWRP) is an alliance of public and private utilities, ports, farming organizations and large and small businesses through the four northwest states. RiverPartners' members promote the region's clean renewable hydro power and fish and wildlife restoration policies based in sound science and cost-effectiveness. We are very involved in the ongoing litigation brought by fish advocate and commercial fishing groups over federal hydro system operations and are a defendant intervener in support of the federal FCRPS Biological Opinion in U.S. Western District Court – Court of Oregon.

NWRP believes SB 125 provides a critical step to creating much needed transparency in the workings of Oregon's Department of Fish and Wildlife. Examples of the need for this legislation abound. The Department been in the forefront of promoting experimental spill operations that are not supported by sound science nor cost-effective. The ODFW "spill experiment" (which failed scientific scrutiny), undertaken without the knowledge of the Commission, is a subset of a much larger issue: the Department also has been in the forefront of pursuing high cost litigation over federal hydro system operations for a decade or more.

In fact, Oregon has "distinguished" itself as being the only Northwest state that continues to pursue expensive litigation (even while it has a significant budget deficit). Every other Northwest state has chosen to collaborate with its brethren states, the federal agencies, and nearly a dozen Native American tribes in support of the federal BiOp.

How did this come to pass? Was the Fish and Wildlife Commission ever consulted about the merits of pursuing such litigation? Or, did the Department act unilaterally and decide on behalf of the state that litigation was the proper course of action? Were any stakeholders affected by such an important decision ever consulted? The fact that these questions need to be asked illustrates why SB 125 is needed.

NWRP is hopeful that a new Administration and ODFW Director will lead to improvements in the Department's attitude and actions. SB 125 will provide more transparency in how the Department makes decisions that can dramatically affect the state and its constituents. Thank you for considering our comments.