House Bill 2433

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Agriculture and Natural Resources)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor’s brief statement of the essential features of the measure as introduced.

Modifies definition of “native fish” for purposes of salmon and trout enhancement program.

A BILL FOR AN ACT

Relating to fish; creating new provisions; and amending ORS 496.430.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 496.430 is amended to read:

496.430. As used in this section and ORS 496.435 to 496.455:

1. “Enhancement” means resource conservation, utilization and educational activities that contribute to the recovery and sustainability of native fish.

2. “Listed unit” means one population or a group of populations of a species, such as an evolutionarily significant unit, that has been listed as threatened or endangered under the federal Endangered Species Act of 1973 (P.L. 93-205), as amended, or under ORS 496.171 to 496.192.

3. “Native fish” means fish that are indigenous to Oregon and not introduced. Naturally produced fish and hatchery produced fish that are incubated, fed and reared under artificial conditions for at least a portion of their life and naturally produced fish are both native fish if the fish are indigenous to Oregon and not introduced.

4. “Native stocks” means those fish indigenous to Oregon that naturally propagate in a given watershed.

5. “Naturally produced” means a fish that reproduces and completes its full life cycle in its natural habitat. The naturally produced progeny of hatchery fish are naturally produced.

6. “Population” means a group of fish that:

(a) Originates and reproduces in a particular area at a particular time;

(b) Does not interbreed to any substantial degree with any other group reproducing in a different area or in the same area at a different time; and

(c) Is composed of naturally produced fish, hatchery produced fish or a combination of both.

7. “Recovery” means that a proportion of the constituent populations of naturally produced native fish belonging to a listed unit are sufficiently abundant, productive and diverse in life histories and distribution such that the listed unit as a whole will be self-sustaining into the foreseeable future.

8. “Self-sustaining” means having a sufficient proportion and distribution of constituent populations that:

(a) Are likely to survive prolonged periods of habitat, oceanic, climatic and environmental conditions that are detrimental to a population; and

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted.
New sections are in boldfaced type.

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(b) Have habitat of sufficient quality and quantity that is likely to provide survival rates adequate to maintain associated ecological, cultural and economic benefits.

SECTION 2. The amendments to ORS 496.430 by section 1 of this 2019 Act apply to salmon and trout enhancement activities first begun pursuant to ORS 496.435 to 496.455 on or after the effective date of this 2019 Act.