



*2021 Oregon Legislative Session*

FR: Native Fish Society

TO: Ways & Means Subcommittee on Natural Resources

RE: Comments on HB 5009 - agency budget for the Oregon Department of Fish and Wildlife

Dear Co-Chairs Taylor and Reardon, Members of the Committee:

Thank you for the opportunity to provide comments on HB 5009, the agency budget for the Oregon Department of Fish and Wildlife. Included in these comments is both the following narrative and detailed comments regarding specific policy option packages and funding needs. We welcome any questions the committee may have.

Today, Oregon has 23 populations of native fish listed as threatened or endangered under the federal Endangered Species Act. This includes most populations of the region's iconic salmon and steelhead. Within the lifetime of young Oregonians, wild salmon and steelhead will be recovered or lost, rivers will be freed or dammed, and the state's iconic native fish will be an enduring symbol of ecosystem health or a bellwether for widespread environmental declines. Now is a critical time when much is in jeopardy, and there's even more to save and restore.

As the manager of commercial and recreational fisheries and the agency responsible for conserving and recovering our imperiled species, it is critical that ODFW has the resources necessary to fulfill its primary obligations. We are concerned about a proposed fund shift of seventeen Native Fish Conservation program positions and three Fish Screens and Passage program positions from general funds to federal funds. It was confirmed in Director Melcher's testimony on April 26 and 28 and May 3, 2021 that federal funds do not exist for these positions. Under this budget, they will be eliminated. These positions are critical in undertaking the work that is needed right now to recover imperiled populations, rebuild sustainable commercial and recreational fisheries, and understand whether we are equitably allocating our natural resources to meet the needs of stakeholders, indigenous people, and tribal nations.

To be clear, even without eliminating these twenty positions, these critical programs have been understaffed for years. For example, Oregon's southwest coast rivers are the only rivers in all of North America outside of Alaska where you can still catch and kill a wild steelhead. Yet for more than a decade, ODFW has not had the resources to know basic information about these wild steelhead, like how many are being harvested and how many are returning to spawn the next generation. This is the equivalent to writing checks without knowing the balance of your bank account.

Now, in order to meet the state's obligation under the Native Fish Conservation policy, the department is crafting a management plan for these species that includes this basic monitoring. Yet meeting this obligation in southwest Oregon requires redirecting monitoring resources from other areas and fisheries that have similar management needs, shifting this same challenge elsewhere. We urge the committee to fund these important Native Fish Conservation and Fish Screening and Passage positions in the next biennium to prevent magnifying an already existing challenge.

We also urge the state to utilize the 4.5 million dollars of general funds currently allocated to hatchery programs to conserve, recover, and build the resiliency of our wild fish and rivers. The science is clear: hatcheries are detrimental to the health and conservation of wild fish and after more than a century of use, have failed to provide for the commercial, recreational, and tribal needs of the region. Wild fish and healthy rivers are a benefit to all Oregonians, and general funds should be utilized for those programs that broadly benefit the taxpayers of the state, not specific resource user groups.

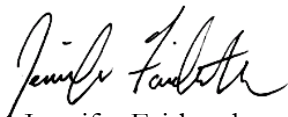
In the face of mounting climate change impacts, it's critical that the state start investing in bolstering the resiliency of our wild fish and rivers. This includes investments in reducing passage barriers like culverts and deadbeat dams so that fish have access to cold, headwater habitats; it includes improving water quality and ensuring that the state is protecting instream flows; it includes working with Tribal Nations to chart a path forward for reintroducing Spring Chinook Salmon to the Klamath Basin and Sockeye Salmon to Wallowa Lake; and it includes restoring habitats, but even more importantly, preventing habitat degradation before it occurs.

This is why we are excited to support the creation of a new Habitat Division. This division will enable the department to work hand in hand with other state agencies and jurisdictions to ensure that land use decisions don't have unintended consequences for the state's fish, wildlife, and their habitats.

Recovering our iconic fish is no small task. We have seen success for populations like wild winter steelhead in the North Umpqua River and wild Oregon Coast Coho Salmon when we focus on data driven management for wild fish and provide them with the habitats they need to thrive. The truth is, even if we maintain funding for the monitoring and habitat protection work already underway, it won't be enough to turn the tide; the status quo isn't enough. But we do believe it is possible if the state takes bold action. Anything less, and we will have to say that it was on our watch that we failed to conserve the species that have been the silver thread weaving together the fabric of the Pacific Northwest's ecosystems and people for millennia.

We look forward to working with the state, tribal nations, and northwest communities to restore abundant wild fish, free-flowing rivers, and thriving local communities around the state.

Sincerely,



Jennifer Fairbrother  
Conservation Director

## **Establishment of the new Habitat Division - ODFW Budget POP 112**

We strongly support the proposal to establish a third division within ODFW focused on the restoration, protection, and enhancement of habitats that are critical to the conservation, recovery, and management of the state's fish and wildlife species. A key role of the habitat division is to provide increased coordination and substantive engagement with other state agencies where proposed actions and projects may have an intersection with the conservation and recovery of the state's fish and wildlife. This budget request was supported by the ODFW Commission as their top budget priority. The majority of positions for the division will be transferred from existing divisions, requiring minimal new staffing additions. However, the Governor's Proposed Budget eliminated five new biologist positions which are critical to executing the work needed by the Habitat Division. We urge legislators to establish the Habitat Division as proposed in POP 112 of the Agency's Recommended Budget.

### **Budget Problem – Proposed fund shifts will result in unintentional elimination of 21 FTE positions**

A fund shift of 17 Native Fish Conservation positions to Federal Funds equaling \$1,797,188 is proposed (Package 090 Analyst Adjustments (010-05)). Three positions in Fish Screens and Passage equaling \$200,000 and two positions for administration of the new Habitat Division (ODFW POP 112) are also proposed. Federal funds are not available to cover this fund shift and these crucial positions will effectively be eliminated if this fund shift should occur. Effective monitoring of populations, especially threatened, endangered, and sensitive fish species, is critical for effective management of fisheries and the recovery of healthy wild fish populations. We strongly encourage legislators to maintain these positions, as well as newly created positions earmarked for coverage by Federal Funds, within the General Funds budget.

### **Budget Opportunity – Loss of Rock Creek Hatchery in Archie Creek Fire**

Rock Creek Fish Hatchery on the North Umpqua River was a complete loss during the Archie Creek Fire in September 2020. In response, ODFW has moved the hatchery programs to other existing facilities in the region and will continue to meet the agency's mitigation obligations and management goals elsewhere. The Governor's recommended budget includes the elimination of two FTE positions at the hatchery. These positions should be eliminated and the funds (\$450,000 General Funds/\$160,000 Other Funds) should be redirected to other positions current proposed for elimination including the Klamath Reintroduction and Monitoring Biologist (ODFW proposed POP 103) or those positions slated for fund shifts to federal funds. Further, we encourage the state legislature to refrain from allocating funding to rebuild or replace Rock Creek Hatchery until a comprehensive analysis can be undertaken by the department to determine whether such a proposal is the best use of state and insurance funds given the historical problems which have plagued the hatchery in the past.

## **Oppose funding incubation boxes for salmonids – HB 3150**

The science and history is clear: incubation boxes for salmonids, or hatch boxes, are not a beneficial tool to conserve or recover native anadromous (ocean-going) fish populations like salmon and steelhead. Hatch box programs do not contribute to improved harvest fisheries as fish raised in hatch boxes are not marked for harvest. The state of Oregon has a history of utilizing hatch boxes, a tactic which was abandoned by ODFW due to their failure as a conservation tool and the problems they impart on managing both wild and hatchery fish populations.

## **Critical Position Slated for Elimination – Klamath reintroduction & monitoring biologist – ODFW POP 103 (in agency request budget, not included in Governor’s recommended budget)**

We urge the legislature to reinstate continued funding for this position at the ODFW requested amount of \$134,500 GF / \$134,500 OF from Pacific Coastal Salmon Recovery Fund. This represents one position to oversee the implementation of the reintroduction program for spring Chinook salmon in the upper Klamath River. This position is critical to the success of what will be the world’s largest river restoration project to date with the removal of the four lower Klamath River dams in 2023. This position has already initiated efforts to restore extirpated anadromous fish to this ecosystem and defunding will leave ongoing research, planning, and implementation incomplete. These efforts represent significant investments already made by the state.

## **Support addition of Diversity, Equity, and Inclusion Coordinator Position – ODFW Package 090**

We support the addition of a position focused on equity goals both within the department and in engaging stakeholders. This position will be funded by \$260,000 General Funds. To revive healthy watersheds and abundant wild fish, we need innovative solutions that elevate facts, science, and indigenous ways of knowing. One way to advance these needs is by increasing the racial and gender diversity of the department and the fish and wildlife field. Studies show that diverse teams focus more on facts, process facts more carefully, and are more innovative. Additionally, an increase in diversity can bring ways of knowing and stewarding fish, rivers, and watersheds that are more deeply rooted in place and sustainability.

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*About Native Fish Society:*

*NFS is a nonprofit conservation organization based in Oregon focused on the revival of abundant wild fish, free-flowing rivers, and thriving local communities throughout the state and region. Guided by the best available science, Native Fish Society advocates for the recovery of wild, native fish and promotes the stewardship of the habitats that sustain us all.*