



## Testimony in Opposition to HB 3086 and Recent Amendments

Chair Fahey and members of the House Rules Committee,

My name is David Moskowitz, I am the executive director of The Conservation Angler – we are a wild fish and wild rivers advocacy organization. I am writing and testifying to convey our strong opposition to HB 3087 which would change the Oregon Fish and Wildlife Commission from congressional district-based representation to river basin-based representation.

### **HB 3086 is Anti-Democratic**

HB 3086 is anti-democratic. Its proposed Commission restructuring would transfer power over fish and wildlife management to a minority of Oregon's population. The state cannot manage fish and wildlife in trust for all of its citizens by minority rule. The current Commission structure ensures that all Oregonians are represented equally, which leads to the best outcomes for the state's citizens. TCA asks that the House Rules committee should protect democratic fish and wildlife management and reject HB 3086.

### **Dash 7 Amendment not a Compromise**

If you heard the -7 amendments were some sort of compromise, in no way does it address our concerns.

### **The Oregon Fish and Wildlife Commission Works**

The Conservation Angler engages with the Fish and Wildlife Commission year-round. We rarely see eye-to-eye with the Commission or its Department. However, we respect the Commission's commitment to the broader public interest in fish, wildlife, and habitat management for all Oregonians.

The Conservation Angler expects a Commission that will advance the conservation and recovery of the state's native, wild, and culturally important fish for all Oregonians. The Fish & Wildlife Commission is properly convened and has been prioritizing sound models of conservation management and it believes in and trusts the scientific process and knowledge – and is committed to applying the Precautionary Principle when the existing knowledge is incomplete or not well understood.

### **Wild Fish and Wildlife Do Not Mind Water Basin or Congressional Boundaries**

The water basin approach proposed in HB 3086 is touted as making ecological sense - but water basins do not correlate neatly with ODFW activities, particularly for fisheries management.

ODFW focuses staff and resources on anadromous fish like salmon and steelhead. These populations are managed by evolutionarily significant units (ESUs) – which are defined based on shared, distinct ecological and biological characteristics. Most salmonid populations and their ESUs are listed species under the Endangered Species Act and recovery plans and management actions are based on ESUs.

Water basin boundaries transect most ESUs for most species of salmon and steelhead. Since water basin boundaries don't correspond to existing anadromous fish boundaries that ODFW works within - boundaries that are biological and ecological - the water basin concept is simply not meaningful.

### **Little Known Factoid!**

Oregon is the only state in the nation to successfully de-list populations of ESA-listed fish – something it somehow accomplished without being organized by water basins.

## **Conservation is the Predominant Priority**

Advocates like the Farm Bureau and the hunting groups are upset because the Fish & Wildlife Commission is finally transforming the agency towards a more holistic approach to managing the state's wildlife and engaging broader communities in wildlife conservation. ODFW has been focused for too long on hunting, fishing and crop and animal damage complaints. This is slowly changing – and for the better. There is growing concern, action and the start of funding shifts and attention on ODFW's non-game conservation plans: the Nearshore Strategy and the Oregon Conservation Strategy.

ODFW must continue to take steps to fully embrace its stated mission of “to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.” This means prioritizing not just wildlife species that are hunted or fished, but also the 88% of Oregon species that are not consumed. The Commission has also initiated a focus on climate change and the profound impacts it is going to have on Oregon's terrestrial and aquatic habitats. This is progress.

## **The Commission Represents All Oregonians – Licensed or Not**

The Commission and ODFW serve all of us - the urban populations as well as its rural communities. Oregon's growing population is interested in conservation and recreation – for themselves and for their children as well. ODFW and the Commission are building a conservation culture in future generations. As a result, more Oregonians will understand the role that the ecosystems and the wildlife within them play in protecting Oregon's overall biodiversity.

## **Proportional Representation is Essential for Democracy**

HB 3086 is anti-democratic. The Commission has successfully represented Oregonians under the Congressional District Model for decades. This composition model also provides the largest and most diverse possible pool of candidates for these complex public service positions, ensuring a wider array of perspectives are represented on.

## **Move Oregon Forward, Not Back**

Ultimately, HB 3086 as written is a desperate attempt to rollback what has been a rebalancing of the management paradigm emphasizing the utilitarian/ extractive value of wildlife towards the intrinsic value of wildlife - a shift long underway with the public at large but in which ODFW lagged behind.

Under former Governor Kate Brown's leadership, Oregon actively sought commissioners with a broad view of ODFW's conservation mission and who shared a commitment to engaging communities that also share a passion for Oregon's “superabundance” of natural wonders. While any commission structure is political and imperfect, congressional districts achieve the outcomes enumerated above, keeping Oregon moving forward.

Make no mistake - HB 3087 is a shift back towards business as usual; an overtly hostile attack and rollback of the strides that have been made in recent years to manage for a broader fish and wildlife mandate. HB 3086 contracts a Commission that reflects Oregon's changing demographics – relegating 78.7% of Oregon's population to two districts. It flips proportional representation on its head.

The legislature and governor have an obligation to ensure that the Commission and ODFW does a far better job of managing the full range of Oregon's wildlife species, builds a much broader and more diverse base, steps forward into the ultimate challenge of our era presented by climate change, and embraces an ethic that prioritizes protection with a long-term view of the future.

The Rules Committee should reject the River Basin approach and instead add a single position to reflect the new congressional district and an additional statewide at-large seat to maintain an odd number of commissioners. This is an approach that is being taken with most other commissions affected by the new congressional district including SB 890 restructuring the Parks Commission that passed the Senate 19-4.

**Contact: David Moskowitz \* PO Box 13121 \* Portland, OR 97213 \* [david@theconservationangler.org](mailto:david@theconservationangler.org)**