



Dear Chair Golden, Vice-Chair Chair Nash, and Honorable Members of the Committee,

Thank you so much for the opportunity to speak to you in support of Senate Bill 1584 on Tuesday. It was wonderful to see you, and our panel deeply appreciated the opportunity (especially given the day's time constraints).

I'd like to take a moment to respond to some of our salmon colleague's concerns about SB1584. I thought it would be easiest to use testimony from the tremendous folks at the Oregon Chapter of the American Fisheries Society (ORAFS) as the outline for my responses, as their concerns are very similar to testimony provided from several other NGOs. I'll lead with their concern followed by my response.

The ORAFS testimony expressed concern with SB 1584 for three primary reasons:

1.A) ORAFS stated concern: Existing functional habitat replaced by mitigation habitat. As proposed, SB 1584 will not add quality salmon habitat to the Coos and Coquille River Basins. This bill would allow the replacement of native functional habitat with constructed habitat. Constructed habitats lack the complex physical processes that create shelter, food, and other resources that contribute to individual native salmonid survival and population growth. Salmon in the Coos River and Coquille River are negatively affected by historical and contemporary land use practices that have led to habitat degradation. The further destruction of remaining native habitat will imperil sensitive populations.

1.B) Response : SB1584 will turn current low productivity farm, ranch, and timber land into high-functioning salmonid habitat on the Coos and Coquille systems. It will not in any way encourage the degradation of existing salmonid habitat. Through the Salmon Trust Dividend it will encourage landowner participation, so that a bank of excellent, prioritized habitat projects are available for both systems under the Salmon Credit Program. With or without SB1584, Oregon land use laws provide for salmon mitigation when needed for a project to proceed (if it in any way impacts salmonid habitat). If allowing salmon mitigation as a remedy for projects that in some way impact salmon habitat is the problem identified by ORAFS, then existing Oregon land use laws need to be changed to address their concern that salmon mitigation should not be considered or allowed for projects. SB1584 clearly follows Oregon's existing land use laws and vision (originally initiated by Governor Tom McCall) that have been repeatedly hailed as the finest and most progressive in the nation in terms of protection and sustainability of our lands and critical habitats. In many cases, Oregon will ask for a mitigation ratio of replacement habitat that is far greater than the originally impacted habitat. To address ORAFS concerns that restored or created habitats are not able to support salmonid survival, decades of ecological engineering strides and scientific study have enabled us to do spectacular work replacing salmonid habitat that has been badly damaged from splash dams, draining, filling, diking and severe subsequent erosion. True ecological engineering is extraordinary, with salmonids using and thriving in newly constructed habitat in the first season of installation. With primarily green armor and native materials, these restorations grow successively better and stronger with each passing year. In fact, one of the greatest honors in my career was when my colleagues and I received the Western Division of the American Fisheries Society's Award of Excellence in Riparian Management for North America (for salmon habitat restoration work where I served as project director). The award reads in part: "Awarded for special recognition in behalf of your efforts, interdisciplinary skills and leadership so capably applied toward protection, enhancement,

and overall management of riparian zones." Restoration, creation, and protection of new salmonid habitat has long been the guiding force behind the revered work of outstanding organizations like the Wild Salmon Center and the Nature Conservancy.

3.A) ORAFS stated concern is SB1584 would be a duplication of effort: Voluntary habitat restoration programs already exist. ORAFS states there are existing voluntary habitat restoration programs for enhancing salmonid habitat in both watersheds with strategic programs that involve multiple partners to address connectivity and restoration of habitat. These programs provide funding and typically only require the landowner to be amenable to the project and to maintain the project as implemented. Entities that violate removal-fill or water quality laws may be required to contribute money to habitat restoration organizations as restitution. The Department of State Lands also already administers a habitat mitigation and banking program to offset removal-fill impacts.

3.B) Response: It is wonderful that programs exist to pay for restoration, however, none of these existing programs accomplish the goal of SB 1584, and that is to monetize the rearing of wild salmonids for landowners. Even with the support of watershed groups and NGOs, all of us in restoration know a modern day salmon restoration can be an arduous and difficult proposition for a land owner. They are subjected to multiple agencies, oversight, permissions, permits, inspections, paperwork, and even lawsuits from neighboring landowners who do not want a salmon project next door. Even permission to simply maintain the completed restoration can be difficult and take years to accomplish (unfortunately we can provide recent examples). We expect the landowner to absorb the time (man hours), costs, maintenance, and stress that accompanies a salmon project on their property. Our farming, ranching, and timber communities comprise a small world and word spreads rapidly. That's why it's getting harder and harder to access private lands that could be restored to high value salmonid habitat...and you can't blame these folks for refusing. However, the prospect of a yearly Salmon Credit dividend check that equals the former value of the land's cattle, hay or timber growing production capability is the fiscal incentive necessary for participation. This dividend check can be used to maintain the restoration, support the family farm, ranch or timber plot, or simply help pay the taxes. That is real world, let's do this...incentive. Existing restoration programs do not offer this. And yes, you can start a mitigation bank...but honestly, what family farmer or rancher can afford to write a \$1 to \$2 million dollar check to start a mitigation bank?

4.A) ORAFS stated concern: Mitigation credit values are unlikely to be sufficient to fund quality habitat restoration. The design, permitting, and implementation costs for most habitat restoration projects often exceed \$100,000 depending on project complexity and scale. The bill lacks specificity on how salmon mitigation credits will be valued and if the credit values are sufficient to implement habitat restoration projects. A likely outcome is that the mitigation credits will only be sufficient for implementation of small, inferior projects that do not compensate for the lost functions and values associated with the destroyed native habitat

4.B) Response: A small, inferior project would never be approved for salmon mitigation purposes. The entire premise of SB1584 is that no existing mitigation requirements change and that more suitable lands be opened to high functioning salmon habitat expansion through monetary incentives provided to the landowner (paid for by the developer). The only change will be that the purchase of the required number of salmon credits will fulfill a project's mitigation requirements. The cost of the credit is yet to be determined, but as part of the Salmon Credit development process it will be calculated with local ecological engineers, contractors, and Watershed Groups who understand the true cost of marsh, riparian, and off-channel habitat creation. It will also include an inflation factor to insure all restoration costs are adequately covered. All permitting and state administrative fees will be calculated into the project cost side of the Salmon Credit.

Further responses to similar questions or concerns in additional testimony:

1. SB1584 Cost to Oregon taxpayers? Zero.

A number of folks testified that the startup cost for SB1584 was a limiting factor in the face of current budgets. SB1584 will not cost taxpayers a dime. The initial startup costs to hire additional staff to implement the program in DSL for two Coos County Watersheds will be a loan from the state to be repaid through the Salmon Trust. We deeply appreciate the many hours and meetings DSL spent determining the costs to adequately staff and incorporate the project. The project will be self-sustaining and all costs will be covered through Salmon Credit fees paid by developers (from a single house, to a housing development, to a Port Expansion).

2. Why are there two watersheds in the pilot project, and why will projects be constructed in either basin?

The Coos and Coquille Watersheds have a great deal in common. They abut each other, and have been heavily damaged over the years through splash dams, draining, diking and manipulation. Both have also had heavy hatchery influence. Wild Salmon Credit projects will be prioritized by need, potential uplift, and proximity to mitigation requirements. Projects with the greatest potential for overall salmonid population uplift will be given the highest priority, as that's really the point of the very best mitigation. Recent studies show young salmon utilize adjacent watersheds to rear, which lets us know these watersheds have even more in common than we originally thought. Even wild fish have a natural stray rate which creates genetic diversity, so there will be some sharing of the adjacent systems by returning adults. Truly bringing back salmon runs requires a wholistic approach, which means we need to accomplish significant projects in both basins. Every completed Salmon Credit Project will help uplift the runs of both systems. Most of Coos County's potential development projects and Salmon Credit purchases will come from Coos Bay and North Bend (perhaps 85%). The next largest city of Bandon has far fewer opportunities for economic development and Salmon Credit purchases, so it makes tremendous sense to share the dollars and the highest uplift projects between the Coos and Coquille Basins.

In conclusion:

The amazing Bill Bradbury and I used to quietly enjoy that we were both part of a very small fraternity (who worked with the Oregon legislature) who had won the NOAA Environmental Hero Award. It was something we were both incredibly proud of. To achieve that wonderful distinction, we learned we had both earned more than our fair share of bruises, lumps, bumps, and scars from our battles to save wild salmon. At different times we had both battled cities, our state, the federal government, a governor or two, corporate attorneys, Canadian firms, developers, and strip miners. It's never been an arena for the timid and you certainly don't get rich. But during those years I was blessed to create a path that saved functionally extinct runs of Coho, who have since provided the brood stock for streams where they did go extinct. Trust me, not all my ideas to save those fish were met with welcoming arms. Remove overburden from a stream? A conservation hatchery with the last of the species? Dig deep, in-stream rearing pools? Remove a city's effluent discharges? The wonderful thing was...even the folks (many from the environmental community) who had voiced the loudest opposition to a number of those ideas, came together in the end...and those fish were saved.

Much like that earlier Coho effort, the Salmon Credit is a grass roots idea started years ago in Ecotrust conversations with some great NOAA folks, tribal resource managers, and a few farmers and ranchers. In the face of dwindling dollars and severe federal cut backs, it's needed now more than ever before. And the best news is that it's achievable. With SB1584 we carve out a new salmon leadership path for Oregon that will absolutely save even more of these magnificent fish. I know it will work.

None of us are paid for our Salmon Credit efforts (we smilingly call it our pro-coho work). We do it solely for the love of one of God's most incredible creatures. A creature that deserves another 5 million years on this earth. SB1584 focuses on a very limited geographic area. It's a small pilot project (at absolutely no cost to Oregonians) that can have a huge, positive impact on the future of our salmon. Please support it and give it

a chance...so one day all of us, even our colleagues who currently oppose it...can stand together looking over a magnificent run of returning salmon and say, "We did this!"

With all my heart, thank you for your time and consideration.

Cam

Cam Parry
River Docs