

HB 2379 -1 STAFF MEASURE SUMMARY

House Committee On Natural Resources

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Meeting Dates: 3/12, 4/9

WHAT THE MEASURE DOES:

Prohibits State Fish and Wildlife Commission (Commission) from approving any agreement or plan for the State Department of Fish and Wildlife to operate the Cole M. Rivers Hatchery unless the U.S. Army Corps of Engineers agrees to fish return goals set by the Commission. Requires Commission to adopt goals for fish return at direction of Legislative Assembly.

Fiscal: May have fiscal impact, no statement yet issued

Revenue: No revenue impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Adds whereas clauses. Allows Curry, Josephine, and Jackson Counties to commence action against the United States Army Cops of Engineers (The Corps) regarding fish return goals specified in the hatchery Final Environmental Impact Statement (Impact Statement) until January 1, 2030. Allows specified Counties to seek damages for economic loss related to fish return being less than mitigation requirements in Impact Statement. Applies retroactively for damages resulting from failure of The Corps to conform with fish return goals in Impact Statement.

Fiscal: May have fiscal impact, no statement yet issued

Revenue: No revenue impact

BACKGROUND:

Since 1951, the U.S. Army Corps of Engineers (The Corps) has contracted with the State Department of Fish and Wildlife (ODFW) to operate seven mitigation hatcheries and fish production services in the Columbia, Willamette, and Rogue Basins. The Corps began funding the Cole M. Rivers Hatchery in 1973 to mitigate for lost salmon, steelhead, and trout production and habitat due to the construction of Lost Creek, Applegate, and Elk Creek Dams. In total, the Corps is responsible for 749,800 pounds of hatchery fish annually.

House Bill 2379 would prohibit the Oregon Fish and Wildlife Commission (Commission) from approving any agreement or plan for the Oregon Department of Fish and Wildlife to operate the Cole M. Rivers Hatchery unless the Army Corps of Engineers agrees to fish the return goals set by the State Fish and Wildlife Commission, and would require the Commission to adopt fish return goals at the direction of the Legislative Assembly.