



May 3, 2021

Joint Committee on Ways and Means Subcommittee on Natural Resources
Co-Chairs Senator Taylor and Representative Reardon
Senator Anderson
Senator Frederick
Representative Breese-Iverson
Representative Holvey
Representative Pham
Representative Brock Smith

Re: Trout Unlimited Comments on HB 5009 (Department of Fish and Wildlife Budget)

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

Thank you for the opportunity to present testimony on House Bill (HB) 5009, the proposed budget for the Oregon Department of Fish and Wildlife (ODFW) for the 2021-2023 fiscal years. My name is Chrysten Lambert and I represent Trout Unlimited, a non-profit organization dedicated to the conservation of cold-water fishes, such as trout and salmon, and their habitats. Trout Unlimited has more than 300,000 members and supporters nationwide including over 3,500 in Oregon.

The Oregon Department of Fish and Wildlife (ODFW) is tasked with many important and varied functions including the conservation and management of fish, wildlife and habitat. Healthy and sustainable fish and wildlife populations are critical components of Oregon's environment, economy and way of life. It is extremely important that ODFW have sufficient resources to ensure they are sustainably managed into the future. We urge the Committee to consider that both ODFW's Agency Request Budget (ARB) and the Governor's Recommend Budget (GRB) were completed when the State was anticipating a more depressed budget outlook than what has ultimately materialized. Accordingly, TU urges the Committee to consider fully approving the GRB and supplementing it with requests from ODFW's ARB that were not included or fully funded in the GRB as indicated below. In particular, we urge you to fully fund POP 103 to support the Klamath Reintroduction Biologist position.

The Klamath Basin once supported the third largest runs of anadromous fish in the lower 48 states and we believe it will once again be a prolific fishery with the removal of the lower four dams planned in 2023. A central part of this effort is the reintroduction of salmon and steelhead to the 420 miles of habitat in the Upper Klamath Basin that have been inaccessible for decades. Perhaps as importantly, removal of the dams and successful recovery of these fish will help to alleviate the competing demands for water by improving water quality and providing adequate habitat for the fish. ODFW serves as the central coordinating agency for the salmon and

steelhead reintroduction and monitoring effort, and given the time-sensitive nature of this project, funding the staff position charged with managing the work is essential in this budget cycle.

Trout Unlimited also supports full funding of POPs 114 and 115 to enhance the Water Quality and Quantity Program to help provide critical support and information about the needs of aquatic resources across the state to support effective management of our water supplies, particularly in response to changing climate conditions. We also support POPs 112 and 116 to establish the Habitat Division and support the Western Streams Restoration Program. Finally, we support funding for positions to sustain the Native Fish Conservation program and essential fish screening and passage programs however we are concerned that POP 090 shifts these positions to Federal Funds. If the Federal Funds do not materialize, these positions will be lost. TU recommends that the Committee shift these positions to General Funds if sufficient Federal Funds cannot be confirmed. We address each of these points in more detail below.

POP 103: Klamath Anadromous Fish Reintroduction Plan Biologist (\$134,500 GF / \$134,500 OF)

POP 103 provides funding to continue a limited duration biologist position to help further critical components of the restoration of the Klamath Basin. Reintroduction of anadromous fish into the upper Klamath basin is a principal goal of the Yurok, Karuk, and Klamath Tribes, many conservation organizations and commercial fishing interests. The Oregon Fish and Wildlife Commission approved a reintroduction plan for anadromous fish in 2008, and ODFW is now required to develop and complete the implementation phase of this effort to guide the actions necessary to reintroduce and reestablish salmon and steelhead populations in certain reaches of the Klamath River and its tributaries. The fish biologist funded by this POP is critical to Klamath dam removal efforts (dam removal is estimated to begin in 2023) and is charged with developing the reintroduction plan and assisting with monitoring and implementation of the plan upon its completion. The individual who holds the position currently has done an exceptional job developing the plan and coordinating the interests and needs of the diverse stakeholders engaged in this effort. Klamath basin stakeholders having been working together for decades to resolve fish and water issues in the basin and achieving successful reintroduction of anadromous fish is crucial to maintaining this progress. Loss of this position will set the reintroduction efforts back significantly. POP 103 was not included in the GRB. It is TU's understanding that the POP's omission from the Governor's Recommended Budget (GRB) was an error that was the result of a misunderstanding and that the Governor's Office supports its inclusion in the legislatively adopted budget. TU recommends that POP 103 be fully funded.

POPs 114 and 115: Enhance the Water Quality and Quantity Program

POPs 114 and 115 would direct resources toward ODFW's Water Quantity and Quality Program (Water Program) which plays a critical role protecting and restoring water in Oregon's rivers for fish and wildlife and other beneficial uses. One of the many challenges facing Oregon as it adapts to climate change, population growth and increasing drought conditions is the lack of information regarding current and long-term instream needs of aquatic resources and the lack of engagement of ODFW in critical water management processes. ODFW, due to the work of the

Water Quantity and Quality Program, is making good progress on addressing the former however it lacks the resources to meaningfully engage in processes where that information could help ensure the sustainable management of Oregon's water resources including adequate protection of fishery resources. Watersheds that proceed with making management decisions with little or outdated information on instream needs are susceptible to over-allocation to out-of-stream uses, which often leads to inadequate instream flows for fish. To that end ODFW's ARB requested 5 new positions in ODFW's Water Quality and Quantity Program to help ensure that ODFW is able to inform regional and statewide water discussions. These were found in POP 115 (Willamette, 3 positions) and POP 114 (place-based planning and other processes, 2 positions).

POP 115 is in the GRB, POP 114 is not. TU requests that both of these POPS be included in the 2021-23 budget.

- **POP 114, Placed Based Planning:** Recent planning efforts under the Integrated Water Resources Strategy require Placed Based Planning to meet both instream and out-of-stream needs. Yet, while OWRD, ODA and DEQ all have funding to have staff at the table, the legislature has repeatedly failed to fund ODFW's participation. Without their involvement, these efforts are severely compromised, and risk not meeting statutory standards to meet instream needs. POP 114 is not in the GRB.
- **POP 115, Willamette Basin Complex Water Issues:** Thirteen federal reservoirs in the Willamette Basin, totaling 1.6 million acre feet of water, are undergoing a federal reallocation of the stored water, adding municipal & industrial and fish & wildlife to the currently authorized use of irrigation. When complete, it will be necessary to quantify and track both live-flow and stored-water releases for new instream rights for fish and wildlife and out-of-stream rights for municipal and agriculture users, and manage who gets access to water during times of shortage. This is a complex implementation challenge requiring additional resources for ODFW to develop implementation plans, overcome technical challenges of quantifying reach specific instream needs, and develop appropriate monitoring and gauging. POP 115 is currently in the GRB.

Package 090 Analyst Adjustments (010-05) (\$1,797,188 Federal Fund)

Package 090 proposes a fund shift of 17 Native Fish Conservation positions equaling \$1,797,188 to Federal Funds. Additionally, it proposes to eliminate the General Fund portion of 3 positions within the Fish Screens and Passage program and backfill with Federal Funds (\$206,701). However, Federal Funds available may not be sufficient to cover these fund shifts. If Federal Funds are insufficient, all of these positions would effectively be eliminated. Ensuring the implementation of priority fish screening and passage projects and effective monitoring of fish populations, especially threatened, endangered, and sensitive fish species, is critical for sustainable management of fisheries and the recovery of healthy wild fish populations. TU strongly encourages the Committee to ensure that sufficient Federal Funds are available to maintain these positions as well as newly created positions earmarked for coverage by Federal Funds (such as positions in the proposed Habitat Division) before approving a fund shift from General Funds to Federal Funds.

POP 112: Habitat Division Establishment (\$1,467,894 GF)

TU strongly supports the establishment of a Habitat Division within ODFW. This POP acknowledges that ODFW has a mandate to proactively act to protect and enhance Oregon's fish and wildlife and their habitat and that focused attention and resources is necessary to realize this mandate; especially as the state continues to confront the impacts of climate change, population growth and drought conditions. A key role of the habitat division will be ensuring sufficient coordination and engagement with other state agencies considering actions and projects that may affect fish and wildlife. While ODFW's ARB requested 7 new FTE to be funded with General Funds, the GRB funded only 2 FTE to be funded with Federal Funds. TU supports fully funding all seven staff positions for the new Habitat Division at ODFW with general fund resources especially if it cannot be established that sufficient Federal Funds are available to maintain the 2 FTE requested in the GRB.

POP 116: Western Oregon Stream Restoration Program (\$585,056 General Fund)

TU requests that the Committee support POP 116 that would restore 3 FTE to the Western Oregon Stream Restoration (WORS) Program. This program directs resources toward entities conducting on-the-ground restoration projects. These projects are critical components of the strategy to recover Endangered Species Act "ESA" listed salmonids and other species. The money provided by this program is often leveraged with other funding sources to produce more restoration benefit for every dollar invested by this program. These leverage opportunities are even more important to embrace during times of budget uncertainty. Unfortunately, the WOSR Program still has not recovered the capacity that it lost in the 2017-2019 budget cycle. This POP would restore some of the positions that have been lost in previous budget cycles.

Thank you for the opportunity to testify.



Chrysten Lambert
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