

## **SB 221 A -A13, -A16 STAFF MEASURE SUMMARY**

### **House Committee On Agriculture, Land Use, Natural Resources, and Water**

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**Meeting Dates:** 4/23, 5/19

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#### **WHAT THE MEASURE DOES:**

The measure requires the Oregon Department of Fish and Wildlife (ODFW) to encourage one or more entities to establish and fund projects under a fall Chinook fish incubation nursery program (Program) for the rearing of fall Chinook salmonids on salmon-bearing or potentially salmon-bearing waterways located in Coos County within 100 miles of the Pacific Ocean. It directs ODFW to assist with ensuring that established programs are scientifically sound and requires ODFW to report on the Program, including findings and recommendations, to an interim committee related to natural resources by September 15, 2026. The measure declares an emergency and takes effect on its passage.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-A13 The amendment requires that projects under the fall Chinook salmon incubation nursery program (nursery programs) comply with Oregon Department of Fish and Wildlife policies. With the exception of certain nursery programs, it also introduces project and reporting requirements for associated entities.

##### Detailed Summary:

Directs the Oregon Department of Fish and Wildlife (ODFW) to ensure that the fall Chinook salmon incubation nursery program (nursery program) are conducted in accordance with ODFW policies and requires entities to operate the program in accordance with ODFW's guidance.

Prohibits nursery program projects to plan more than a total 350,000 eggs per calendar year and requires that eggs may only be fertilized by hatchery fish from Coos County.

Adds a reporting requirement for entities that establish and fund projects under a nursery program and specifies the following content requirements:

- Number of eggs deployed in incubation boxes
- Source and number of brood stock used
- Number and location of deployed fish incubation boxes
- Number of adult fish that return from the incubation boxes
- Any other data collected in association with the program

Exempts the following nursery programs from proposed project and reporting requirements:

- Nursery programs developed cooperatively by ODFW and a federally recognized Indian tribe
- Nursery programs needed for research or conservation purposes as determined by ODFW
- Nursery programs operating in the Coquille River.

Changes the reporting requirement for ODFW by including the nursery program in ODFW's existing annual reporting requirements.

*FISCAL: May have fiscal impact, but no statement yet issued*

*REVENUE: May have revenue impact, but no statement yet issued*

-A16 The amendment requires that projects under the fall Chinook salmon incubation nursery program (nursery programs) comply with Oregon Department of Fish and Wildlife's (ODFW) policies and directs ODFW to provide guidance on such to participating entities. With the exception of certain nursery programs, it also introduces project and reporting requirements for participating entities. It sunsets the fall Chinook salmon incubation nursery program and associated reporting requirements on January 2, 2040.

Detailed Summary:

Limits the establishment and funding of a fall Chinook salmon incubation nursery program (incubation nursery program) to entities that participate in the salmon and trout enhancement program (participating entities). Caps the combined total of eggs distributed by the Oregon Department of Fish and Wildlife (ODFW) to be planted by all participating entities at 500,000 eggs per year and requires that eggs may only be fertilized by hatchery fish from Coos County.

Directs ODFW to assist participating entities by providing guidance to ensure that the program is scientifically sound and conducted in accordance with ODFW policies and requires entities to operate the program in accordance with ODFW's guidance.

Adds a reporting requirement for participating entities, and specifies the following content requirements:

- Number of eggs deployed in incubation boxes
- Source and number of brood stock used
- Number and location of deployed fish incubation boxes
- Number of adult fish that return from the incubation boxes
- Any other data collected in association with the program

Exempts nursery programs in Coos County that are implemented pursuant to a cooperative management agreement between the Coquille Indian Tribe and ODFW from proposed project and reporting requirements. Changes the reporting requirement for ODFW by including the nursery program in ODFW's existing annual reporting requirements under the salmon and trout enhancement program. Sunsets the fall Chinook salmon incubation nursery program and associated reporting requirements on January 2, 2040.

*FISCAL: Minimal fiscal impact*

*REVENUE: No revenue impact*

**BACKGROUND:**

Since 2018, the wild Coquille fall Chinook salmon population has declined. According to the Oregon Department of Fish and Wildlife (ODFW), from 2018 to 2021, there was a low of 275 adult fall Chinook salmon returning to spawn and a high of approximately 900. Previously, wild adult returns averaged about 8,000 - 10,000 fish yearly. According to ODFW the ability of the population to sustain itself is at risk.

According to ODFW's 2023-2024 legislative Report on the Hatchbox Program, incubation nurseries or hatchboxes are small-scale fish egg incubation devices that are placed either at the edge of a streambank or directly instream and from which salmon or steelhead fry emerge into the stream's natural environment. Fertilized eggs from selected parental broodstock are placed in the hatchboxes and, subsequently, unfed, unmarked fry volitionally emerge and enter into the waterbody.

*FISCAL: Has minimal fiscal impact*

*REVENUE: No revenue impact*

*SENATE VOTE: Ayes 26; Nays 4; Excused 0*