



American Fisheries Society Oregon Chapter

OR Chapter AFS: PO Box 8062 Portland, OR 97207-8062 www.orafs.org

May 18, 2015

RE: STATEMENT TO THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES OPPOSING HB 3217A

Dear Senator Edwards and other Honorable Legislators,

The Oregon Chapter of the American Fisheries Society (ORAFS) is comprised of over 500 fisheries and aquatic science professionals from federal, state, and tribal agencies, colleges and universities, diverse private employers, college students, and retirees. Our mission is to improve the conservation and sustainability of Oregon fishery resources and their aquatic ecosystems for long-term public benefit by advancing science, education and public discourse concerning fisheries and aquatic science and by promoting the development of fisheries professionals.

ORAFS supports restoration practices that restore and conserve aquatic ecosystems including fish passage, groundwater and surface water flow support, and riparian vegetation recovery. The proposed actions included in HB 3217A are flawed in how they would attempt to achieve these ecosystem benefits. ORAFS has identified four primary flaws with HB 3217A.

- 1) The proposed “artificial beaver dam” (ABD) treatments do not replicate natural beaver dam construction methods. Instead, the proposed methods are cross-channel fills incorporating large rock and soil. These structural dams will remain on the landscape long after the pilot program sunsets, impacting channel processes and fish passage.
- 2) Channel incision is not solely due to the loss of beaver populations in the Malheur basin. Channel incision is also caused by historical and contemporary damaging land use practices including stream-side livestock grazing, road construction, and stream modifications to enhance land uses. Addressing channel incision should include a review of land use practices and incorporate actions that would provide resilient, long-term aquatic ecosystem benefits.
- 3) HB 3217A does not require the ABD to include fish passage. The proposed bill states that future fish passage modifications may only be required if ODFW provides the funding to implement fish passage devices. ODFW already has considerable fiscal responsibilities and HB 3217A proposes adding another responsibility. In short, HB 3217A would allow the construction of fish passage barriers that may not be corrected in the future due to limited funding programs.
- 4) The proposed legislation would create an additional administrative burden for the Department of State Lands. Existing permitting regulations are sufficient for environmental review of stream restoration practices. Proper tracking of the proposed HB 3217A actions would require additional staff time. No additional funds are proposed by HB 3217A to support this administrative burden.

ORAFS strongly supports restoring incised streams when efforts include the best available science. **Employing ABD through HB 3217A will not restore incised streams and healthful river processes conducive to fish and wildlife over the long-term.** ORAFS suggests the bill proponents research and apply established restoration techniques in place of the ABD as described. The proposed ABD are channel fills that should and can be regulated under existing permitting programs without passing HB 3217A. Thank you for the opportunity to provide written testimony for your consideration on this issue.

Respectfully,

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