



Oregon Plan *Teamwork*

Oregon Plan for Salmon and Watersheds

August 1998

This monthly publication will present key updates on the evolving roles, strategies and activities of supporting teams and oversight bodies of the Oregon Plan for Salmon and Watersheds.

Salmon Strategy Team Hears Oregon's Appeal of Federal Court Decision

The Salmon Strategy Team (SST) meets regularly to develop and review strategy direction for planning and implementation of the Oregon Plan. New challenges in strategy development accompanied the June 2, 1998 ruling of U.S. Magistrate Janice Stewart. She held that the National Marine Fisheries Service violated federal law when it decided against listing coho on the central and northern Oregon Coast in light of the Oregon Plan.

Assistant Attorney General Richard Whitman recounted the three main holdings of Magistrate Stewart's decision. First, she held NMFS may not consider voluntary measures in the listing decision. Second, NMFS may not consider measures that have significant future components. Third, NMFS's determination that coho are not likely to become endangered within the "foreseeable future", specified as the time period extending until review of the no-list decision in September 1999, is inconsistent with the intended time frame of the Endangered Species Act.

On July 13, the state filed an appeal of the Magistrate's decision and a request for a stay of NMFS reconsideration decision, scheduled for August 3. The U.S. Department of Justice announced on July 21 that they would join Oregon's appeal on behalf of NMFS, which is filed with the Ninth Circuit Court of Appeals in San Francisco. Following the recent denial of Oregon's request for a stay, NMFS announced on August 3 that it will list coho as threatened under the ESA within sixty days.

The State is hopeful that the Ninth Circuit will rule on the appeal before March 1999 when the next round of listing decisions are expected to be made in Oregon. Governor Kitzhaber, chair of the SST, emphasized the importance of the State's appeal in clarifying the role that voluntary actions, cooperative efforts and state recovery plans play within the bounds of the ESA. He reinforced the State's intent to move full speed ahead to implement the plan and to secure resources to cover any possible short term funding problems that may result from the listing decision.

Willamette Restoration Initiative Prepares for Plan Development

The Willamette Restoration Initiative seeks to improve water quality and benefit fish species by developing strategies that restore watershed health. This young initiative, affirmed by Governor Kitzhaber in May 1998, is progressing under the lead of Interim Director Rick Bastasch. An interim workgroup has been assembled to draft a charge for a Board of Directors which will spearhead the effort. The workgroup is chaired by Dave Frohnmayer, President of the University of Oregon, with vice-chair Bill Gaffi, manager of the Unified Sewerage Agency in Washington County. A draft plan for the initiative is scheduled to be submitted to the federal government in March 1999.

Outreach Team Develops Tools to Reach Various Audiences

During the initial development of the Coastal Salmon Restoration Initiative, the outreach and education task was to raise public awareness of issues involved with coho salmon and potential listings under the Endangered Species Act. As implementation of this initiative progressed, the Oregon Plan evolved to become a statewide aquatic conservation strategy based on the understanding that the health of the species in our rivers and streams depends greatly on the health of the entire watershed. Outreach and education tasks have grown alongside this expanded purpose, and now include increasing public awareness of ways individuals can contribute to the statewide effort to improve watershed health.

The Outreach Team is creating tools to meet these evolving goals. An *Identity Package* has been developed with an Oregon Plan logo, and will continue to evolve with other elements designed to consistently represent Oregon Plan efforts. *Oregon Plan News* is a monthly newsletter that will be available soon, featuring implementation examples and success stories from communities around the state. An *Oregon Plan Brochure* describing the plan structure, restoration measures and ways to get involved will be available soon for distribution to various audiences. A *CD Rom* containing a collection of agency materials for use by Watershed Councils, Soil and Water Conservation Districts, educators and landowners will be available this fall. A *Compendium* containing information on a growing list of organizations involved in salmon and watershed education efforts is scheduled to be available in hardcopy by July 1, with planned development of an electronic version. *Lists of Ten Things* people can do in their community to improve watershed health will be available to local governments, businesses, conservation groups and citizens this fall. A permanent *Oregon Plan Display* will educate and engage State Fair attendees in August and September, and will have interchangeable components to maximize use at various other events statewide.

IMST Moves Forward with Critical Scientific Review

The Independent Multidisciplinary Science Team is charged with the independent scientific review and evaluation of Oregon Plan implementation, and reports its progress regularly to the Joint Legislative Committee on Salmon and Stream Enhancement. To fulfill its role of scientific review, the Team has undertaken a wide variety of challenging projects. These include evaluation of proposed changes to the Oregon Forest Practices Act; determination of predator impact to salmon stocks; review of hatchery programs and protocols; review of escapement goals; analysis of fish habitat as it relates to land use; evaluation of agency monitoring effectiveness; establishment of relationships between stream temperature, land-use and fish habitat needs; assessment of knowledge of fish habitat in estuary and lowland systems; and evaluation of DEQ rules for certification of grazing on federal land. The IMST will present its findings in final reports on each project, tentatively scheduled for release beginning in September 1998 and continuing through January 1999.

Joint Legislative Committee Hears Marine Mammal Predation Report Recommendations

The National Marine Fisheries Service will submit a Marine Mammal Predation Report to Congress on June 16 containing recommendations emphasizing the management of marine mammals off the Oregon coast. The report was prepared in conjunction with Oregon, Washington and California Fish and Wildlife Departments. Specific proposals of the report address Stellar Sea Lions and Pacific Harbor Seals and recommend that Congress allow state and federal agencies to manage these species when found to be impacting depressed fish populations. Additional recommendations call for a streamlined approach to marine mammal management, permitting lethal removal if individuals are impacting listed or critical

species. These once depressed marine mammal populations have grown under the strict protections of the Marine Mammal Protection Act of 1982. Local populations have been steadily increasing at rates of five to eight percent per year, and are now robust in many areas. The report emphasizes that much more research is required in this area to determine the actual impacts of marine mammals on fish populations, and the effectiveness of proposed management measures.

Reorganization of Leadership in the Governor's Natural Resource Office

Jim Martin left the Governor's Natural Resource Office on July 1 to return to the Oregon Department of Fish and Wildlife. Louise Solliday has transitioned from her position as the Governor's Watershed Advisor to become the Manager of Administrative Services, responsible for the Governor's Correspondence, GNRO Budget, State and Federal Legislative Coordination, and Interagency Coordination. Roy Hemmingway shifted from his role as the Governor's Salmon and Energy Advisor to become the primary Manager of the Oregon Plan.

Annual Report Executive Summary on the Web

The Executive Summary of the first Annual Report is available on the Oregon Plan website at <http://www.oregon-plan.org>. The full report is scheduled for completion in late September or early October and will be available on the website at that time.

August Meeting Schedule

August 10	Healthy Streams Partnership Committee Hearing Room C, State Capitol, Salem. Time: 9:30am to 4:00pm
August 11	Joint Legislative Committee on Salmon and Stream Enhancement Hearing Room A, State Capitol, Salem. Time: 9:00am to 4:00pm
August 12	Independent Multidisciplinary Science Team Agricultural Production Room, LaSells Stewart Center, Oregon State Univ., Corvallis. Time: 8:30am to 5:00pm
August 18	Outreach Team Oregon Department of Agriculture, 3420 Cherry Ave. NE, Salem. Time: 1:30pm to 4:00pm
August 19	Salmon Strategy Team Governor's Conference Room, State Capitol, Salem. Time: 10:30am to noon
August 20	Implementation Team Mill Creek Room, Division of State Lands, 775 Summer St. NE, Salem. Time: 9:00am to 1:00pm
Not meeting	Monitoring Team
Not meeting	Coastal Salmon Restoration and Production Task Force