

LEGISLATIVE COMMITTEE REPORT ON LEGISLATIVE MATTERS

The Legislative Committee (LC) met on April 1, 2023 to consider the status and development of Federal and State legislation. The LC identified several potential pieces of legislation that could impact Council-managed fisheries and that are of interest to the LC and may be of interest to the Council.

Federal Legislation

Several bills have been introduced into the 118th Congress that may be of interest to the Council.

- H.R. 872. The LC understands that this bill would remove salmon management authority from the National Marine Fisheries Service (NMFS) and vest that authority with the Department of Interior (DOI).
- H.R. 520. This bill would amend the Endangered Species Act (ESA) and appears directed at fisheries and hatcheries. The LC understands that it would allow for the substitution of wild and hatchery populations for purposes of tracking abundance and attaining conservation objectives.
- H.R. 495. This bill would amend the National Environmental Policy Act (NEPA) to authorize assignment to States of Federal agency environmental review responsibilities. The implications of this bill to Council-managed fisheries was not clear to the LC. Members volunteered to look into this bill more deeply and to report back to the Council in June.
- H.R. 1056. This bill would require the Comptroller General to conduct a study to assess certain environmental review processes with regard to offshore wind projects. The nexus to wind energy was of interest to LC members, and members indicated their intent to monitor this bill.
- S. 318 and H.R. 886 would amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend to Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration. While the implications of these companion bills were not immediately clear, marine debris is of interest to LC members given the impact it has on waters within PFMC jurisdiction.
- The “Northwest Energy Security Act” could prevent further consideration of breaching the four lower Snake River dams. It was noted that this could circumvent the mediation process that is currently underway. LC members indicated their intention to follow the two companion bills recently introduced.

State Legislation

In regards to state legislation, the LC considered two pieces of legislation that were recently introduced, one introduced in Oregon and a second introduced in California. Members expressed

their understanding that the Council would be invited to comment on Oregon House Bill 3382¹

- California Assembly Bill 460 would strengthen the tools available to the California Water Resources Control Board to help address unauthorized diversions of water. LC members noted that unauthorized diversions appear particularly problematic in several river systems, and specifically noted the Klamath basin.
- Oregon House Bill 3382 authorizes ports at Astoria, Newport, Coos Bay, Portland, and St. Helens to construct, maintain, and improve deep draft navigation channel improvements including docks and similar berthing facilities without demonstrating compliance with state or local land use law.

In addition to the bills described above, a recent oversight hearing was held by the House Natural Resources Committee's Subcommittee on Water, Wildlife and Fisheries, and was titled “Benefits and Access: The Necessity for Multiple Use of Water Resources.” LC members expressed concern over the dialogue within that hearing in light of the many drought-related challenges that exist along the west coast.

PFMC
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¹ The Council was formally invited to comment on Oregon House Bill 3382 on April 1st, 2023. This invitation is included in the April 2023 Briefing Book as [Agenda Item F.5 Supplemental Attachment 2](#)