

HOUSE COMMITTEE ON WATER

January 28, 2005 Hearing Room 357

1:00 P.M. Tapes 14 - 15

MEMBERS PRESENT: Rep. Bob Chair Jenson, Chair

Rep. Jackie Dingfelder, Vice-Chair

Rep. Jerry Krummel, Vice-Chair

Rep. Phil Barnhart

Rep. Alan Rep. Brown

Rep. Mike Schaufler

MEMBER EXCUSED: Rep. Billy Dalto

STAFF PRESENT: Sandy Thiele-Cirka, Committee Administrator

Pamella Andersen, Committee Assistant

MEASURES/ISSUES HEARD:

Urban Water Reuse Task Force Report — Informational Meeting

HB 2083 - Public Hearing

HB 2123 - Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/# Speaker Comments

TAPE 14, A

004 Chair Jenson Calls the meeting to order at 1:03 p.m. Opens the informational meeting on Urban Water Reuse.

Urban Water Reuse Task Force Report — INFORMATIONAL MEETING

040 Rep. Dingfelder Provides background to SB 820. Describes her background working on water for the last 20 years professionally.

068 Holly Schroeder Administrator, Water Quality Division, Department of Environmental Quality (DEQ). Submits and reviews informational packet on water reuse (**EXhibit A**). Reviews task force recommendations.

198 Rep. Brown Inquires about task force discussion on reusing storm water runoff. Questions who has the right to storm water runoff. Seeks clarification that the city owns the water that runs on the streets and parking lots.

200 Mark Cullington Water Quality Manager, DEQ. Responds that there was discussion on the reuse of storm water runoff. States that the source of the runoff has the right to reuse it. Clarifies that the city typically owns the runoff and it goes to a waste water treatment plant.

225 Rep. Brown States that in his experience storm water does not necessarily go to waste water treatment.

227 Schroeder Clarifies that typically the city becomes the manager of the water.

234 Rep. Brown Questions whether that is a documented water right.

239 Tom Paul Water Resources Department (WRD). States that land owners may collect water off impervious surfaces and use it without a water right.

247 Rep. Dingfelder Questions whether it is the same for rainwater. Inquires about cisterns.

248 Paul Clarifies that it applies to any water that hits an impervious surface. States that if water is collected into a cistern from an impervious surface one would not need a water right in order to use it.

262	Rep. Krummel	Questions the cost of task force to draft the report, and the total amount appropriated.
266	Schroeder	Offers to provide that information to the committee members.
277	Rep. Dingfelder	States that water reuse is incorporated into DEQ's budget, and many resources were donated for research.
288	Rep. Krummel	Suggests that a task force was unnecessary, as water reclamation has been utilized in rural areas for some time.
302	Chair Jenson	Expresses similar concerns as Rep. Krummel.
315	Rep. Dingfelder	States that the taskforce focused on urban areas. Relates concerns of public perception with effluent water, and mentions barriers in statute.
362	Rep. Schaufler	Suggests that the dams capture impervious water and reuse it.
400	Krummel	Comments on the bureaucratic structures that limit our own water use.

TAPE 15, A

010	Kim Anderson	Sunrise Water Authority (SWA). Submits written testimony (EXHIBIT B) on urban water reuse and provides background of SWA. Discusses water supply matrix, conservation, and reclaimed water.
050	Anderson	Expresses concern with lack of cost-effectiveness due to regulations.
112	Rep. Dingfelder	Inquires how the task force recommendations could help SWA.
118	Anderson	States that rewriting regulations that are barriers would be helpful, as would a clear list of options.
130	Rep. Dingfelder	Confirms that reclaimed water is a ready resource to assist in meeting water demand.
138	Anderson	States that SWA needs help in determining the direction they should go.

142	Rep. Schaufler	Questions which rules, regulations, and statutes that the legislature could address during this legislative session.
150	Anderson	Relates that negotiations are in progress.
160	Rep. Dingfelder	Reiterates the problem, and the intent of the task force to streamline.
167	Anderson	States that streamlining the permitting process was SWA's incentive to be involved on the task force.
170	Charles Logue	Director of Technical Service, Clean Water Services (CWS), Washington County. Provides information on CWS. Describes how CWS reuses storm water and conserves water.
248	Mark Yeager	Engineer, City of Albany. Submits and reviews written testimony (EXhibit C) on water reuse. Expresses support for the task force recommendations. Explains benefits of water reuse.
310	Rep. Dingfelder	Mentions that the League of Oregon Cities fully supports the report. Relates that a Governor's policy will be put forward to agencies.
348	Mark Cullington	DEQ. States that waterless urinals can save 20,000 gallons per urinal per year.
359	Rep. Barnhart	Comments on issues in statute and obsolete administrative rules, and questions the primary area of focus.
370	Rep. Dingfelder	States that task force recommendations are streamlining efforts. Suggests future consolidation.
393	Rep. Barnhart	Suggests that agencies are hesitant to consolidate.

TAPE 14, B

011	Chair Jenson	Closes the informational meeting and opens the public hearing on HB 2083.
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HB 2083 - PUBLIC HEARING

- 019 Adam Sussman Senior Policy Analyst, Water Resources Department. Submits and reviews written testimony (**EXhibit D**) in support of HB 2083. Explains how HB 2083 eliminates burdensome and obsolete statutes. States that Harlan Levy with the Oregon Association of Realtors expresses support for HB 2083.
- 115 Patrick Allen Manager, Office of Regulatory Streamlining. Submits and reviews written testimony (**EXhibit E**) in support of HB 2083.
- 137 Chair Jenson Closes public hearing on HB 2083. Opens public hearing on HB 2123.

HB 2123 - PUBLIC HEARING

- 141 Adam Sussman Senior Policy Analyst, Water Resources Department. Submits and reviews written testimony (**EXhibit f**) in support of HB 2123. Provides background on the bill.
- 180 Chair Jenson Questions if the pre-codes have a priority in keeping with the first in time principle.
- 184 Sussman States that the priority date would be the date the well was constructed. Explains how systems are regulated under existing law, and what HB 2123 does to give authority to the Water Resources Commission.
- 293 Rep. Dingfelder Inquires about restoration and storm water management activities and seeks clarification that stakeholders did not oppose HB 2083.
- 310 Sussman Describes provision in water right backlog by addressing HB 2083. Confirms that there were no objections to HB 2083.
- 337 Rep. Barnhart Questions whether this change is a result of new knowledge about water movement.
- 350 Sussman Explains why the provision was adopted.
- 360 Rep. Barnhart Seeks clarification about the resulting effect.
- 377 Chair Jenson Inquires about deleted language.

390 Sussman States that Legislative Counsel moved the language within the bill.

400 Chair Jensen Confirms that the listing system was changed.

TAPE 15, B

019 Jerry Schmidt Oregon Ground Water Association. Testifies in support of HB 2123.

053 Doug Myers WaterWatch. Submits and reviews written testimony (**EXhibit g**) in support of HB 2123.

069 Rep. Dingfelder Questions whether WaterWatch will be involved in rulemaking.

071 Doug Myers Responds affirmatively.

100 Chair Jensen Closes public hearing on HB 2123. Notes the Chair's personal policy not to have a work session the first time a bill is heard. Adjourns the meeting at 2:30 p.m.

EXHIBIT SUMMARY

- A. Water Reuse – Urban, informational packet, Holly Schroeder, 7 pp**
- B. Water Reuse – Urban, written testimony, Kim Anderson, 3 pp**
- C. Water Reuse – Urban, written testimony, Mark Yeager, 2 pp**
- D. HB 2083, written testimony, Adam Sussman, 5 pp**
- E. HB 2083, written testimony, Patrick Allen, 5 pp**
- F. HB 2123, written testimony, Adam Sussman, 2 pp**
- G. HB 2123, written testimony, Doug Myers, 2 pp**