

HOUSE COMMITTEE ON WATER

February 21, 2005 Hearing Room 357

1:00 P.M. Tapes 32 - 33

MEMBERS PRESENT: **Rep. Bob Jenson, Chair**

Rep. Jackie Dingfelder, Vice-Chair

Rep. Alan Brown

Rep. Billy Dalto

MEMBERS EXCUSED: **Rep. Jerry Krummel, Vice-Chair**

Rep. Carolyn Tomei

Rep. Phil Barnhart

STAFF PRESENT: **Sandy Thiele-Cirka, Committee Administrator**

Pamella Andersen, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2170 – Public Hearing

Oregon Plan Overview – Informational Meeting

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
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TAPE 32, A

004 Chair Jenson Opens the meeting at 1:08 p.m. and opens public hearing on HB 2170.

hb 2170 – PUBLIC HEARING

008 Sandy Thiele Cirka Committee Administrator. Reviews history and intent of the bill. References the Executive Summary from the Report on the Oregon Ballast Water Management Program, 2004 (**exhibit a**).

032 Mark Sytsma Associate Professor of Environmental Science and Resources, Portland State University. Supports HB 2170. Submits and reviews written testimony (**exhibit b**). Explains the intent of the bill, particularly prevention of the introduction of aquatic invasive species, and uniformity of ballast water management requirements.

050 Chair Jenson Asks if British Columbia is included with the states.

051 Sytsma Responds yes. Continues review of bill provisions. Notes amendments have been submitted that delete section 2, and a definition for “common waters.”

148 Rep. Dingfelder Inquires what can be done to increase compliance.

Sytsma Explains Department of Environmental Quality (DEQ) funding is lacking to implement the program or provide staff to monitor reports. Notes that grants fund staff to maintain the national database.

203 Rep. Dingfelder Asks about opportunities for federal funding.

214 Sytsma Delineates existing funding nationally and in other states. Notes differences in funding for projects and programs.

235 Rep. Brown Questions whether academic resources from Hatfield Marine Science Center or University of Oregon Marine Biology School are available.

238 Sytsma Elaborates on the availability of various academic resources.

263 Sebastian Degens Marine Planning & Development Manager, Port of Portland. Supports HB 2170 with amendments. Submits and summarizes

(**exhibit c**), noting the advantage of alignment with other groups along the west coast, and the coalition between industry and various other groups that made this bill possible.

- 322 Rep. Dingfelder Asks if Degens has any recommendations for possible funding.
- 324 Degens Offers none. Agrees with concerns. Believes industry is doing well performing exchanges internationally
- 364 Chair Jenson Inquires which recommendations are left out.
- 372 Sytsma Lists: staff to run the program, and additional research on how to treat ballast water.
- 388 Degens Adds to the list: research on the impact of domestic barges and other coastal activity.

TAPE 33, A

- 010 Chair Jenson Mentions ships from San Francisco, where there is a substantial invasive species problem, and how essential it is to keep funding concerns at the forefront.
- 047 Rep. Dingfelder Inquires whether any other countries are conducting treatment.
- 060 Sytsma Responds a great deal of research is being done on treatment, but there is no standard at this time. Notes any standard has to be adopted by all countries. Expects a standard to be in place in the next few years.
- 104 Bob Danko DEQ. Supports HB 2170 and the amendments. Thanks the team involved in development of the bill.
- 121 Chair Jenson Closes the public hearing on HB 2170. Opens the informational meeting on the Oregon Plan Overview.

Oregon Plan overview – INFORMATIONAL MEETING

- 135 Phil Ward Director, Water Resources Department (WRD).

138	Debbie Colbert	Water Policy Analyst, WRD. Submits and reviews written testimony (exhibit d). Begins by discussing flow restoration in the Rogue Basin. Reviews high priority watershed areas.
219	Rep. Dingfelder	Questions the number of high priority watersheds.
221	Colbert	Confirms number, which does not correspond with the United States Geographical Survey (USGS) groupings.
233	Rep. Dingfelder	Asks how the two correlate.
265	Colbert	Replies they don't correlate, but perhaps may be adjusted in the future for consistency.
259	Rep. Dingfelder	Inquires in how many high priority watersheds we are currently measuring water use.
250	Colbert	Notes she will be offering related information further into the presentation. Continues review of (exhibit d), and the five WRD Oregon Plan measures: <ul style="list-style-type: none"> • • Water distribution and regulation; • • Fish and fish habitat protection; and • • Promotion of flow restoration.
416	Ward	Mentions people who are concerned about accusations of non-use of supplemental water right use. The department supports seeing an "excused" non-use.
420	Colbert	Continues discussion of flow restoration.
430	Ward	Mentions SB 185, which has passed the Senate and addresses the issues of those wishing to lease water in-stream, but concerned about the impact on their supplemental water right.
447	Colbert	Continues discussion of flow restoration.
460	Ward	Concerns with water leaving the land. Notes success of the flow restoration program has been the temporary lease program.

010	Rep. Dingfelder	Questions if the role of the water master can be to look at the whole picture.
027	Ward	Reports that is intent.
035	Colbert	Relates water masters are playing an informal role attempting cooperative approaches
041	Rep. Dingfelder	Asks about the value of a water marketing approach.
049	Ward	States there has been limited success to water marketing in urban markets. Reiterates need to allay landowner community concerns regarding permanently removing water from the land.
064	Chair Jenson	Inquires about farm gate loss through programs mentioned.
073	Ward	Notes statewide permanent transfers in the last five years.
074	Colbert	Confirms water has been placed on about 80 thousand acres.
076	Ward	Elaborates on groundwater development.
080	Chair Jenson	Asks where new resources have been found.
084	Ward	Relates this has been statewide. Gives example of Klamath Basin groundwater development.
100	Chair Jenson	Asks if WRD is monitoring the lowering of the aquifer.
107	Ward	Notes their cooperative efforts with the USGS.
119	Colbert	Continues presentation. Reviews public outreach and education. Mentions stream flow gauging stations, which include an education station. Lists the groups that use the education station. Reports WRD participation in the Oregon Plan Assessment on Coastal Coho ESU.
162	Chair Jenson	Questions if the agency has received funding from the Oregon Watershed Enhancement Board (OWEB).

180	Colbert	Responds and lists OWEB-funded projects.
194	Chair Jenson	Requests submitted report on projects for which they have received or requested OWEB funding.
209	Rep. Dingfelder	Asks about Measure 66 funding.
210	Ward	Lists how much they received, and for what purposes.
234	Rep. Dingfelder	Requests detailed list of personnel positions.
242	Chair Jenson	Requests Oregon Plan funding information for all the agencies actively involved.
251	Chair Jenson	Closes the informational meeting on Overview of the Oregon Plan. Adjourns the meeting at 2:20 p.m.

EXHIBIT SUMMARY

- A. HB 2170, Executive Summary from the Report on the Oregon Ballast Water Management Program 2004, staff, 4 pp**
- B. HB 2170, written testimony, Mark Sytsma, 2 pp**
- C. HB 2170, written testimony, Sebastian Degens, 2 pp**
- D. Oregon Plan Overview, written testimony / report, Debbie Colbert, 4 pp**