

HOUSE COMMITTEE ON WATER

March 09, 2005 Hearing Room 357

1:00 P.M. Tapes 41 - 43

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

Rep. Jackie Dingfelder, Vice-Chair

Rep. Jerry Krummel, Vice-Chair

Rep. Phil Barnhart

Rep. Alan Brown

Rep. Carolyn Tomei

MEMBER EXCUSED: **Rep. Billy Dalto**

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

Elizabeth Howe, Committee Assistant

ISSUES HEARD: **Oregon Plan Overview – Informational Hearing**

Oregon Department of Agriculture (ODA)

Oregon Department of Forestry (ODF)

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 41, A

002 Chair Jenson Calls the meeting to order at 1:05 p.m. Opens an informational hearing on the Oregon Plan by the Oregon Department of Agriculture (ODA).

OREGON PLAN, ODA – INFORMATIONAL HEARING

025 Debbie Gorham Administrator, Natural Resources Division, ODA. Submits materials (**EXHIBIT A**). Describes different programs and responsibilities relating to the Oregon Plan (**EXHIBIT A, page 2**).

043 Ray Jaindl Assistant Administrator, Natural Resources Division, ODA. Discusses the SB 1010 program (**EXHIBIT A, page 3**).

082 Rep. Tomei Questions how planning areas are determined.

084 Jaindl Explains how planning areas are determined and describes the current status of SB 1010 (**EXHIBIT A, page 3 and 4**). Reviews SB 1010 results to date and improvements in water quality (**page 4**).

172 Chair Jenson Requests report compilation of results of measures being reviewed, and asks if all 39 basins have biennial reviews.

184 Jaindl Explains the data available, and offers to collect data and submit a report to the committee. States that there are 24 basins that are reviewed biennially.

209 Larry Ojua Program Manager, Soil and Water Conservation Districts (SWCD), ODA. Explains his background and the purpose of SWCDs (**EXHIBIT A, page 5**).

235 Chair Jenson Questions funding for SWCD technical assistance and emphasizes the importance of technical assistance.

241 Ojua Reports ODA can fund only one full time employee (FTE) for technical assistance, and relays that water districts can apply for grants for technical assistance from Oregon Watershed Enhancement Board (OWEB). Continues description of SWCDs.

307 Ojua

Discusses federal Endangered Species Act (ESA) assurances
(EXHIBIT A, page 11).

331 Rep. Dingfelder Questions assurances regarding irrigated crop land **(EXHIBIT A, page 11, paragraph 2).**

350 Ojua Responds and continues discussion of SWCD accomplishments **(EXHIBIT A, page 6)** and discusses the Conservation Security Plan **(pages 13-15).**

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011 Ojua Discusses SWCD accomplishments **(EXHIBIT A, page 6).**

020 Rep. Tomei Questions definition of conservation easements and conservation enhancement program. Inquires who a third party might be. Requests an explanation of the conservation enhancement program.

022 Ojua Defines conservation easements and conservation enhancement program and lists who a third party could be. Discusses the conservation enhancement programs.

043 Ojua Continues discussion of Conservation Reserve Enhancement Program (CREP) **(EXHIBIT A, page 7).**

065 Rep. Dingfelder Inquires if ODA establishes goals and benchmarks.

071 Ojua Describes goals, target miles and acres.

084 Jaindl Explains that because CREP is an OWEB program, goals are established by OWEB, and ODA assists.

090 Chair Jenson Offers history of CREP and trends.

154 Rep. Tomei Asks if trends are typical of other watersheds.

157 Ojua Believes that these trends are similar to other trends.

183 Gorham Describes the Confined Animal Feeding Operations (CAFO) **(EXHIBIT A, page 7).**

210	Chair Jenson	Notes the committee members who were on the committee when the CAFO program was expanded with HB 2156 (2001).
218	Gorham	Continues explanation of CAFO rules and permits.
310	Rep. Dingfelder	Questions whether increase in operations that need coverage is due to expanding EPA regulations. Inquires if there is enforcement when someone refuses to register, and how many inspectors are in ODA.
319	Gorham	Describes outreach to seek operations that require permitting. Explains how ODA handles non-compliance, and relays that there are 6.25 full time inspectors.
375	Rep. Dingfelder	Questions how CAFO programs are funded.
378	Gorham	Explains that very little is funded through fees, but rather by General and Lottery funds.
396	Rep. Barnhart	Questions if CAFO is applicable only to certain species or to any feeding operation.
407	Gorham	Explains the many types of confined animals that CAFO covers.
449	Rep. Barnhart	Asks if the four-month period refers to the time when the CAFO exists, or to the length of time animals are confined. Inquires if swine are regulated.

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021	Gorham	Clarifies that the four-month period is the time animals are confined within a year, and confirms that ODA permits hog operations. Explains assistance provided to CAFO operators and offers to provide a copy of summary to committee staff.
075	Jaindl	Introduces the Noxious Weeds and Invasive Species program (EXHIBIT A, page 9) .
158	Chair Jenson	Inquires about a recent study relating to silt in Umatilla Basin waters and lack of farmer participation.

162	Jaindl	Responds that he is not familiar with the study.
164	Chair Jenson	Questions if there have been reports from the Independent Multidisciplinary Science Team (IMST).
171	Jaindl	Relays communications with IMST.
220	Chair Jenson	Closes informational hearing by ODA. Opens an informational hearing on the Oregon Plan by the Oregon Department of Forestry (ODF).

OREGON PLAN, ODF – INFORMATIONAL HEARING

222	Ted Lorenson	Assistant State Forester, ODF. Begins presentation on ODF programs relating to the Oregon Plan.
280	Lorenson	Continues discussion of ODF compliance methods.
330	Lorenson	Describes invasive diseases and insects.
390	Lorenson	Discusses program that addresses fire season severity and how fires affect watersheds.

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040	Lorenson	Discusses funding of fire planes and integration of programs in various agencies.
110	Rep. Dingfelder	Questions court issued permits and a general permit for restoration.
112	Lorenson	Explains the background of permits and the types of permits issued.
159	Rep. Tomei	Questions prevention of pest and invasive species.
164	Lorenson	Offers an illustration of preventative measures in other areas.
184	Rep. Brown	Mentions his experience with knotweed in Lincoln County.

196	Lorenson	Discusses noxious weeds that are difficult to exterminate.
244	Rep. Barnhart	Questions ODF authority to eradicate invasive species, and inquires if the legislature could improve their capacity to do so.
254	Lorenson	Replies that ODA has the authority to implement eradication programs, and they have been working with ODF.
276	Jaindl	Reiterates that ODA works with ODF to address issues. States that he cannot answer whether ODF has the authority it needs.
293	Rep. Barnhart	Asks for clarification about increasing flexibility for harvesting plans in Tillamook forests.
307	Lorenson	Discusses different views of frameworks to manage forests.
371	Rep. Barnhart	Expresses appreciation for clear explanations and for ODF's concern with approaching issues scientifically. Questions influence of federal government.
402	Lorenson	Describes three management approaches that are adaptive management experiments.

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003	Lorenson	Continues discussing management approaches. Mentions that federal Bureau of Land Management and United States Forest Services are updating their management plans.
040	Rep. Barnhart	Comments on Oregon's example of good forest management that may affect other states' management practices. Believes there are great opportunities if Oregon manages its forests well.
046	Chair Jenson	Discusses economic benefits to good forest management.
105	Chair Jenson	Closes the informational hearing and adjourns the meeting at 3:04 p.m.

EXHIBIT SUMMARY

A. Oregon Plan, presentation materials, Debbie Gorham, 15 pp