

## SENATE COMMITTEE ON ENVIRONMENT & LAND USE

March 25, 2005  
10:00 A.M.

VAN PORT ROOM, PORTLAND STATE UNIVERSITY  
Tapes 55 - 58

**MEMBERS PRESENT:** Sen. Charlie Ringo, Chair  
Sen. Ginny Burdick  
Sen. Frank Shields

**MEMBERS EXCUSED:** Sen. Jason Atkinson, Vice-Chair  
Sen. Roger Beyer

**STAFF PRESENT:** Matt Shields, Committee Administrator  
Katie Lowry, Committee Assistant

**MEASURES/ISSUES HEARD:**  
SB 344 – 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
<b>TAPE 55, A</b>		
005	Chair Ringo	Calls meeting to order at 10:05 a.m. Makes opening remarks. Opens public hearing on SB 344.
<b><u>SB 344 – PUBLIC HEARING</u></b>		
020	Jennifer Allen	Research Associate Professor, Portland State University (PSU); and Associate Director, International Environmental Safety and Sustainability Education Program. Submits and reads written testimony welcoming the committee to PSU ( <b>EXHIBIT A</b> ).
070	Dr. Jane Lubchenco	Valley Professor of Marine Biology and Distinguished Professor of Zoology, Oregon State University; President, International Council for Science; and Member, National Science Board. Submits informational packet ( <b>EXHIBIT B</b> ). Reads written testimony included in informational packet.
150	Lubchenco	Continues reading written testimony.
250	Lubchenco	Continues reading written testimony.
350	Lubchenco	Continues reading written testimony.
410	Chair Ringo	Thanks witness for her presentation and work on this subject. Mentions Executive Summary ( <b>EXHIBIT B</b> ). States that it is signed by 50 professors from many different scientific disciplines. Asks how witness responds to people who don't think that the scientific evidence supports the conclusion that humans are a factor in global warming.
<b>TAPE 56, A</b>		
008	Lubchenco	Responds.
035	Sen. Burdick	Thanks witness for her impressive presentation. Asks about activity of the hydrology. Says that she cannot remember the terminology used by witness.
036	Lubchenco	Replies the water cycle.

037	Sen. Burdick	Asks question about the water cycle.
040	Lubchenco	Explains in detail.
067	Sen. Burdick	Discusses one method of reducing global warming. Asks about impact of mentioned trends on microbes, viruses and bacteria that could have a health effect on overpopulated countries.
073	Lubchenco	Discusses pollution from developed countries. Discusses populations in various countries. Addresses the question of health implications.
095	Sen. Shields	Wonders about reaction time to health concerns.
100	Lubchenco	Discusses responses. Gives recommendations.
120	Jason Mark	Director, Clean Vehicles Program. Makes introductory remarks. Discusses climate changes.
140	Mark	Submits and presents a PowerPoint presentation titled "Addressing Air Quality and Climate Change in Oregon" ( <b>EXHIBIT C</b> ).
198	Sen. Shields	Asks about time frame.
199	Mark	Explains.
200	Mark	Continues PowerPoint presentation.
260	Chair Ringo	Asks what percent of CO2 emissions are caused by vehicles.
263	Mark	Replies that in the United States it is 20 percent and explains.
265	Chair Ringo	Asks what the other sources of CO2 emissions are.
266	Mark	Replies that electricity is another major source.
268	Chair Ringo	Asks if coal burning power plants are a major source.
270	Mark	Replies yes and explains that natural gas is also a significant source of greenhouse gasses.
271	Mark	Continues PowerPoint presentation.
315	Chair Ringo	Asks about production with regard to California's emission standards.
318	Mark	Responds.
324	Chair Ringo	Asks about the marketplace.
325	Mark	Explains.
340	Chair Ringo	Asks if there is a backlog of customers who are waiting to buy a hybrid vehicle in California.
341	Mark	Replies yes and explains.
342	Mark	Continues PowerPoint presentation.
400	Chair Ringo	Clarifies that witness' estimation is based on the price of gasoline at two dollars a gallon.
401	Mark	Confirms this.
402	Chair Ringo	Asks what the price of gas is in California.
403	Mark	Replies \$2.30.
404	Mark	Concludes PowerPoint presentation.
410	Paul Cosgrove	Alliance of Automobile Manufacturers. Submits written testimony and a graph ( <b>EXHIBIT D</b> ). Discusses concerns with SB 344.
<b>TAPE 55, B</b>		
001	Cosgrove	Continues discussion of SB 344.
090	Chair Ringo	Understands that it is not perfect for Oregon to adopt California's emission standards, but states that it is an improvement over waiting for the Environmental Protection Agency and the federal government to take action on this issue.
095	Cosgrove	Refers to chart attached to testimony ( <b>EXHIBIT D</b> ). Responds to comment. Refers to previous testimony.
105	Chair Ringo	Makes comment.
108	Cosgrove	Responds.

109	Chair Ringo	Makes comment about diesel Jettas.
111	Cosgrove	Discusses clean fuel development. States that California is specifically anti-diesel.
119	Cosgrove	Continues discussion of SB 344.
150	Cosgrove	States opposition to SB 344 and recommends creating a task force.
155	Steve Douglas	Director of Environmental Affairs, Alliance of Automobile Manufacturers. Offers to answer questions.
160	Sen. Shields	Asks if witness is here with Paul Cosgrove.
161	Chair Ringo	States that the two witnesses came up together.
162	Sen. Shields	Asks witness what his title is.
164	Douglas	Responds.
166	Sen. Shields	Asks witness what the scientific basis is of the anti-diesel position of California.
168	Douglas	Asks for clarification.
170	Sen. Shields	Clarifies.
175	Douglas	Gives background information.
190	Chair Ringo	Wonders if it isn't generally accepted that diesel emissions are particularly harmful to human health.
192	Douglas	Discusses diesel emissions.
207	Chair Ringo	States that there is a lot of effort to reduce diesel emissions in Oregon.
213	Cosgrove	Discusses diesel emissions. Submits written testimony on behalf of Jim Geisinger, Executive Vice President of Associated Loggers, Inc. in opposition to SB 344 <b>(EXHIBIT E)</b> . Submits written testimony on behalf of David Dillon, Daimler Chrysler on SB 344 <b>(EXHIBIT F)</b> . Submits written testimony on behalf of John Ledger, Vice President of External Affairs, Associated Oregon Industries in opposition to SB 344 <b>(EXHIBIT G)</b> .
238	Chair Ringo	Makes comment on incentive.
240	Douglas	Discusses incentive.
246	Chair Ringo	Asks Mr. Mark to respond to the issue of diesel fuel.
250	Mark	Discusses diesel fuel in California and diesel technology.
272	Sen. Shields	Verifies that California is anti-pollution and not anti-diesel.
274	Mark	Confirms this.
275	Sen. Shields	Wonders if bio-diesel could meet the standards in California.
276	Mark	Responds.
289	Chair Ringo	Asks how witness responds to the point that California has changed its rules 45 times. Asks how that will affect Oregon.
295	Mark	Responds.
325	North Cheatham	President and Operator, Apeasay Fruit, Hood River. Discusses: <ul style="list-style-type: none"> <li>• Irrigation water</li> <li>• Insect cycle</li> </ul>
400	Chair Ringo	Asks if witness relates this problem to warmer temperatures.
401	Cheatham	Confirms this. Continues discussion of: <ul style="list-style-type: none"> <li>• Insect cycle</li> <li>• Fruit tree rejuvenation over cold temperature periods</li> </ul>

# TAPE 56, B

015	Angus Duncan	President and CEO, Bonneville Environmental Foundation and
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		Member, Governor's Advisory Group on Global Warming.
		Testifies on SB 344. Submits written testimony <b>(EXHIBIT H)</b> .
100	Duncan	Continues testimony on SB 344.
170	Duncan	Concludes testimony.
195	Chair Ringo	Thanks witness for his testimony.
200	Rachel Langford	Clean Air Program Coordinator, American Lung Association of Oregon. Submits and reads written testimony in support of SB 344 <b>(EXHIBIT I)</b> .
215	Chair Ringo	Understands that adopting California's emission standards will impact CO2 levels. Asks what other elements, types of chemicals or particulates it will impact.
219	Langford	Replies that it will impact ozone, particle pollution and toxic air pollutants.
220	Chair Ringo	Clarifies that those particulates are contributors to asthmas and lung cancers.
222	Langford	Replies yes and adds that ozone is also a contributor.
225	Langford	Continues testimony in support of SB 344.
320	Steve Schell	Former Chair and President, Energy Trust of Oregon. States that he is not testifying on behalf of the Energy Trust of Oregon. Testifies in support of SB 344. Submits written testimony <b>(EXHIBIT J)</b> .
360	Chair Ringo	Thanks witness for coming.
361	Sen. Shields	Thanks witness for coming.
362	Mitchell Rofsky	President, Better World Club. Testifies in support of SB 344. Submits written testimony <b>(EXHIBIT K)</b> .
<b>TAPE 57, A</b>		
014	Chair Ringo	Makes comment about Better World Club.
016	Rofsky	Responds.
017	Chair Ringo	Asks what the website address is.
018	Rofsky	Replies.
020	Ken Ray	Sales Manager, Ron Tonkin Dodge in Clackamas. Submits and highlights written testimony in opposition to SB 344 <b>(EXHIBIT L)</b> .
075	Chair Ringo	Thanks witness for his testimony. Makes comment.
076	Ray	Responds.
080	Chair Ringo	Asks if witness agrees that government needs to address global warming issue. Asks if witness would disagree with that.
081	Ray	Responds.
082	Chair Ringo	Asks if witness will defer to the experts.
083	Ray	Responds.
084	Chair Ringo	Recesses meeting for lunch at 12:05 p.m.
085	Chair Ringo	Calls meeting back to order at 12:56 p.m.
095	Fred Heutte	Oregon Chapter Energy Coordinator, Sierra Club. Testifies in support of SB 344. Submits written testimony <b>(EXHIBIT M)</b> .
128	KC Golden	Climatic Solutions. Testifies in support of SB 344.
213	Chair Ringo	Thanks witness for coming.
215	Golden	Discusses market.
220	Sen. Shields	Makes comment.
223	Glen Spain	Pacific Coast Federation of Fishermen. Testifies in support of SB 344. Submits articles <b>(EXHIBIT N)</b> .
300	Spain	Continues testimony in support of SB 344.
365	Chair Ringo	Asks about rising temperatures in rivers.
370	Spain	Refers to SB 555 and states support for it. Discusses reasons for rising temperatures in rivers.

385	Jared Kahn	Law student, Lewis and Clark Law School and member, Northwest Environmental Defense Center. Testifies in support of SB 344. Gives recommendations to committee.
<b>TAPE 58, A</b>		
001	Kahn	Continues testimony in support of SB 344. Submits informational packet <b>(EXHIBIT O)</b> .
040	Sen. Shields	Makes comment. States that he supports SB 344.
049	Kahn	Responds.
055	Chris Hagerbaumer	Program Director, Oregon Environmental Council. Testifies in support of SB 344. Submits written testimony <b>(EXHIBIT P)</b> .
100	Chair Ringo	Asks about cancers.
103	Hagerbaumer	Responds.
105	Hagerbaumer	Continues testimony in support of SB 344.
122	Mike Unger	Engineers for Global Responsibility. Testifies in support of SB 344.
165	Roy Scheer	Student, Willamette University. Testifies in support of SB 344.
185	Chair Ringo	Verifies that witness is talking about new vehicles.
186	Scheer	Confirms this.
187	Chair Ringo	Gives hypothetical scenario.
190	Scheer	Responds.
195	Michel Lang	Conservation Director, Friends of the Columbia River Gorge. Testifies in support of SB 344. Submits report titled "Winter Deposition of Nitrogen and Sulfur in the Eastern Columbia River Gorge National Scenic Area" <b>(EXHIBIT Q)</b> and a study titled "Fog Water Deposition in the Eastern Columbia River Gorge NSA" <b>(EXHIBIT R)</b> .
250	Lang	Continues testimony in support of SB 344.
335	Jenny Holmes	Program Director, Oregon Ecumenical Ministries, Interfaith Network for Earth Concerns, and Coordinator, Oregon Interfaith Global Warming Campaign. Testifies in support of SB 344. Submits written testimony <b>(EXHIBIT S)</b> .
410	Alex Fidis	Citizen, Portland. Testifies in support of SB 344.
430	Chair Ringo	Encourages witness to contact his legislators. Asks if witness knows who his legislators are.
433	Fidis	Responds.
434	Chair Ringo	Encourages witness to find out who his legislators are and contact them.
436	Fidis	Responds.
<b>TAPE 57, B</b>		
006	John Charles	Cascade Policy Institute. Submits written testimony <b>(EXHIBIT T)</b> . Testifies in opposition to SB 344.
063	Chair Ringo	Discusses previous testimony. Mentions human health impacts. Asks if witness accepts the science that there are human health impacts because of air particulates related to pollution.
070	Charles	Responds.
073	Chair Ringo	Verifies that witness does not dispute that air pollution is a matter of public health concern.
075	Charles	Replies that he does not dispute it when it actually is air pollution. Discusses CO2, and states that it is not a pollutant.
078	Chair Ringo	Discusses previous testimony and other pollutants with respect to the adoption of California's emission standards.
082	Charles	Responds.
090	Katherine Lin	Law Student, Lewis and Clark Law School; and member, Northwest Environmental Defense Center. Testifies in support of

		SB 344.
115	Jeremy Wright	Oregon State Public Interest Research Group. Testifies in support of SB 344. Submits written testimony <b>(EXHIBIT U)</b> .
150	Dave Stewart-Smith	Assistant Director, Energy Resources, Oregon Department of Energy. Testifies in support of SB 344.
185	Chair Ringo	Asks if witness has anything written to provide to the committee.
186	Stewart-Smith	Replies no.
188	Chair Ringo	Makes comment on witness' testimony.
190	Stewart-Smith	Responds.
197	Lubchenco	Discusses points brought up in previous testimony.
255	Sen. Shields	Asks witness to put into context the statement that CO2 is not a pollutant.
260	Lubchenco	Discusses classification of CO2.
284	Sen. Shields	Makes comment.
285	Lubchenco	Responds.
<b>The following prepared testimony is submitted for the record without public testimony:</b>		
	Dr. Catherine Thommason	Oregon Physicians for Social Responsibility. Submits a report titled "Degrees of Danger; Health Effects of Climate Change and Energy in Oregon" <b>(EXHIBIT V)</b> .
	Bob Russell	President, Oregon Trucking Associations, Inc. Submits written testimony in opposition to SB 344 <b>(EXHIBIT W)</b> .
	Andrew Ginsburg	Air Quality Administrator, Department of Environmental Quality. Submits written testimony on SB 344 <b>(EXHIBIT X)</b> .
	George H. Taylor	State Climatologist, Oregon State University. Submits written testimony on SB 344 <b>(EXHIBIT Y)</b> .
	Margaret Oliphant	Air Quality Legislative Coordinator, Department of Environmental Quality. Submits written testimony on SB 344 <b>(EXHIBIT Z)</b> .
	Vern Groves	Retired United Methodist Pastor. Submits written testimony in support of SB 344 <b>(EXHIBIT AA)</b> .
	Lynn Lundquist	Oregon Business Association. Submits a letter to the Oregon Department of Energy <b>(EXHIBIT BB)</b> .
290	Chair Ringo	Thanks everyone for coming. Closes public hearing on SB 344 and adjourns meeting at 2:06 p.m.

## **EXHIBIT SUMMARY**

- A. SB 344, written testimony, Jennifer Allen, 5 pp**
- B. SB 344, informational packet, Jane Lubchenco, 212 pp**
- C. SB 344, PowerPoint presentation, Jason Mark, 7 pp**
- D. SB 344, written testimony, Paul Cosgrove, 3 pp**
- E. SB 344, written testimony of Jim Geisinger, Paul Cosgrove, 1 p**
- F. SB 344, written testimony of David Dillon, Paul Cosgrove, 7 pp**
- G. SB 344, written testimony of John Ledger, Paul Cosgrove, 1 p**
- H. SB 344, written testimony, Angus Duncan, 3 pp**
- I. SB 344, written testimony, Rachel Langford, 7 pp**
- J. SB 344, written testimony, Steve Schell, 5 pp**
- K. SB 344, written testimony, Mitchell Rofsky, 2 pp**
- L. SB 344, written testimony, Ken Ray, 1 p**
- M. SB 344, written testimony, Fred Heutte, 3 pp**
- N. SB 344, articles, Glen Spain, 5 pp**

- O. SB 344, informational packet, Jared Kahn, 25 pp**
- P. SB 344, written testimony, Chris Hagerbaumer, 3 pp**
- Q. SB 344, report, Michael Lang, 14 pp**
- R. SB 344, study, Michael Lang, 3 pp**
- S. SB 344, written testimony, Jenny Holmes, 1 p**
- T. SB 344, written testimony, John Charles, 7 pp**
- U. SB 344, written testimony, Jeremy Wright, 2 pp**
- V. SB 344, report, Catherine Thommason, 44 pp**
- W. SB 344, written testimony, Bob Russell, 2 pp**
- X. SB 344, written testimony, Andrew Ginsburg, 2 pp**
- Y. SB 344, written testimony, George H. Taylor, 3 pp**
- Z. SB 344, written testimony, Margaret Oliphant, 4 pp**
- AA. SB 344, written testimony, Vern Groves, 1 p**
- BB. SB 344, letter, Lynn Lundquist, 3 pp**