

HOUSE COMMITTEE ON AGRICULTURE & FORESTRY

January 16, 2001 Hearing Room 50

3:30 PM Tapes 4 - 6

MEMBERS PRESENT: Rep. Jeff Kropf, Chair
Rep. Donna Nelson, Vice-Chair
Rep. Robert Ackerman
Rep. Dan Doyle
Rep. Elaine Hopson
Rep. Wayne Krieger
Rep. Mary Nolan
Rep. Tootie Smith

MEMBER EXCUSED: Rep. Al King, Vice-Chair

STAFF PRESENT: Ray Kelly, Committee Administrator
Patricia Nielsen, Committee Assistant

MEASURE/ISSUES HEARD: Informational Meeting
Northwest Sport Fishing Industry
Oregon Association of Nurserymen
Oregon Department of Environmental Quality
Oregon Department of Forestry

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 4, A		
005	Chair Kropf	Opens meeting at 3:34 p.m.
010	Rep. Ackerman	Invites presenters to contact him, as he will be leaving early.
015	Chair Kropf	Notes that Rep. Hopson will be arriving after an appointment with the Governor, and that Vice-Chair King is excused due to illness.
<u>NORTHWEST SPORT FISHING INDUSTRY</u>		
022	Phil Donovan	Representing Northwest Sport Fishing Industry Association, Oregon Guides and Packers Association, and the Association of Northwest Steelheaders. Introduces himself and outlines agenda.
042	Chair Kropf	Asks about availability of water for agricultural irrigation.
047	Donovan	Responds and offers assistance with fish-friendly legislation.
060	Chair Kropf	Asks whether Mr. Donovan is involved with pesticide reporting use work group.
063	Donovan	Explains he is not involved at this time.
066	Rep. Nelson	Asks whether Mr. Donovan has positioned his client in any reports on the salmon issue.
072	Donovan	Describes involvement of Northwest Steelheaders.
086	Chair Kropf	Asks whether his industry will support a bill giving a tax credit for farmers who volunteer not to farm within 25 feet of a stream.
091	Donovan	Expresses support for the concept, depending on fiscal impact.
103	Rep. Krieger	Asks for overview of what should be in wild fish policy.
113	Donovan	Responds.

OREGON ASSOCIATION OF NURSERYMEN

162	Scott Ashcom	Oregon Association of Nurserymen (OAN). Describes organization and outlines areas of interest.
230	Ashcom	Continues discussion.
283	Ashcom	Continues discussion.
302	Chair Kropf	Asks whether the Oregon Department of Agriculture currently administers a nursery inspection program, before shipment to other states.
306	Ashcom	Confirms. Discusses potential impact of Ballot Measure 7. Raises the issue of budget cuts.
346	Rep. T. Smith	Inquires about the possibility of addressing other issues besides third party lawsuits with safe harbor language.
350	Ashcom	Discusses safety net language in Endangered Species Act (ESA).
360	Rep. T. Smith	Asks whether language should be stronger.
365	Ashcom	Describes interaction with National Marine Fisheries Service (NMFS).
377	Rep. Krieger	Inquires about excessive fines in SB 1010.
385	Ashcom	Responds with OAN intent to study the issue.
403	Rep. Krieger	Expresses concern about NMFS enforcement. Opines that with Ballot Measure 7, the voters did express their intent.
441	Rep. Nelson	Requests information about damages or restrictions on industry caused by transportation bottlenecks in her district, especially between Newberg and Dundee.

TAPE 5, A

022	Ashcom	Expresses support for a freestanding gasoline tax increase to fund highway improvement.
036	Rep. Nelson	Inquires how OAN is working with farm workers, and their union, which has raised many issues of concern.
044	Ashcom	Describes interaction and consensus between OAN and groups that represent farm employers and farm workers.
073	Chair Kropf	Asks about involvement of OAN in issue of farm labor housing.
078	Ashcom	Expresses familiarity with the issue.
080	Chair Kropf	Inquires whether OAN considers farm labor housing a primary issue.
086	Ashcom	Reiterates general support for OR-OSHA and BOLI authority, and that of other agencies, which is now in place.

OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

120	Chair Kropf	Acknowledges and welcomes two members Future Farmers of America, visiting the committee meeting today.
144	Lauri Aunan	Assistant to the Director, Oregon Department of Environmental Quality (DEQ). Introduces herself and offers assistance of agency specialists if members need information.
150	Chair Kropf	Informs the committee that newly-appointed DEQ Director Stephanie Hallock will appear before the committee soon.
156	Aunan	Presents information about the agency and introduces legislative proposals. Submits written material (EXHIBIT A) describing legislative concepts.
185	Aunan	Reviews program for sanitary sewer systems.
202	Chair Kropf	Asks about problems the agency has encountered.
205	Aunan	Defers question. Reviews Supreme Court decision, <u>Northern Crook County Solid Waste Agency v. Army Corps of Engineers</u> , regarding permits for removal or fill of wetlands.
236	Chair Kropf	Inquires whether, if the Army Corps of Engineers no longer issues permits, any other state agency would do so.

240	Aunan	Expresses her understanding that the Division of State Lands will review the need, and refers members to that agency for clarification. Describes septic system permit program.
272	Chair Kropf	Asks whether the goal is attainable.
275	Aunan	Expresses agency commitment to exploring the idea. Describes legislative proposals.
307	Chair Kropf	Asks if HB 2149 funds would be available to individuals who are not landowners.
312	Aunan	Responds.
324	Chair Kropf	Recommends that agency adds a component to assure that non-landowners, such as farmers who lease land, have access to loan program. Asks about fiscal impact of HB 2150.
330	Aunan	Describes estimated impact.
336	Chair Kropf	Asks about agency involvement in project to build a pier three miles out to the New Carissa for salvage purposes. Asks about Division of State Lands' jurisdiction.
346	Aunan	Explains agency interest.
366	Rep. Krieger	Asks about the process of science to learn whether water temperature standards can be achieved.
384	Aunan	Describes agency standards, and interaction with Environmental Protection Agency (EPA).
404	Rep. Krieger	Inquires whether different water systems in the state will be evaluated differently.
409	Aunan	Explains agency strategy.

416	Rep. Krieger	Comments that landowners worry about interacting with DEQ. Encourages DEQ to be problem-solvers, to help people make a living within requirements.
426	Aunan	Describes new director's attitude for problem-solving.
TAPE 4, B		
015	Rep. Nolan	Requests background information about cost recovery percentage of fees levied by DEQ, over last several biennia. Asks what percentage of the costs of DEQ enforcement programs is covered by fees.
023	Aunan	Offers to bring information back to the committee.
<u>OREGON DEPARTMENT OF FORESTRY</u>		
034	James E. Brown	State Forester, Oregon Department of Forestry (ODF). Introduces Keith Mills, Geotechnical Specialist (landslide expert). Reports to committee on questions asked. Reviews submitted material (EXHIBIT B) .
156	Brown	Describes legislative concepts brought to the committee. Introduces name of Ray Craig, Legislative Coordinator, who will bring business owners and other experts to give testimony before the committee.
176	Brown	Discusses four areas in response to chair's prior inquiries: fire program; eastside forest health; forest practices, specifically landslides; and the large picture of what is happening in Oregon's forests.
213	Brown	Describes assistance to rural fire departments. Discusses rural-forest interface, and fire risk that follows landowners building homes in forest areas.
264	Chair Kropf	Asks whether the state will develop a plan to help with fire suppression where homes are built in and around forestland.
270	Brown	Elaborates on projected agency actions.
288	Chair Kropf	Inquires whether goal of program is to focus on residential areas.
290	Brown	Responds about models to be followed.
301	Chair Kropf	Asks how the President's new roadless policy will affect Oregon's ability to preserve forest assets if there is a major fire.
317	Brown	Describes importance of roads to Oregon's fire protection system, and the importance of federal policy regarding fire suppression.
360	Chair Kropf	Inquires about how the federal government views the state policy on fire suppression.
383	Brown	Provides explanation of federal reports evaluating state fire policy.
TAPE 5, B		
012	Chair Kropf	Asks if having an effective policy toward controlling the amount of fire load is a proper preemptive policy to keep forest fire problems under control.
015	Brown	Points out the controversy over the purpose of the national forest.

018	Rep. Nelson	Expresses concern about the number of dollars available for the fire season. Refers to excerpt from the Governor's budget. Asks whether the cooperative fire section is the eastern Oregon program.
033	Brown	Clarifies that the pie chart shows revenue sources. Describes the Governor's recommended budget for the fire program, and the revenue from the sub-category of the co-op program.
060	Rep. Nelson	Asks whether this is money received from private landowners.
065	Brown	Describes private landowner assessments.
070	Rep. Nelson	Requests information about fire prevention programs.
080	Brown	Explains the prevention program is contained within the total fire program. Describes the development of the program.
095	Rep. Nelson	Asks whether the program is in conjunction with National Emergency Fire Management Center in Boise.
100	Brown	Affirms.
107	Chair Kropf	Asks about the difficulty in fire load management if roads are closed.
110	Brown	Responds.
115	Brown	Presents information about salvage of timber that has been injured by insects or disease. Refers to brochure (EXHIBIT C) describing recommendations.
170	Chair Kropf	Asks about state policy to pursue salvage logging.
175	Brown	Describes. Continues presenting testimony on landslides. Describes issues surrounding landslides and forest practices to prevent landslides. Describes the work of an interim legislative committee, and the report produced.
223	Chair Kropf	Inquires how the policy is working.
227	Keith Mills	Staff Geotechnical Specialist, Oregon Department of Forestry. Provides testimony regarding landslides and activities of department.
247	Chair Kropf	Asks whether the work is impacting areas of the coast highway, or is limited to timberlands.
250	Mills	Clarifies mission.
265	Chair Kropf	Asks about success of policy.
270	Mills	Responds.
280	Brown	Describes Douglas County pilot program.
290	Chair Kropf	Inquires about the time frame for Department of Geology and Mineral Industries (DOGAMI) mapping.
295	Mills	Responds.
300	Rep. Krieger	Thanks Mr. Brown for his hard work to make the department a model for other states. Asks about structure-based forest management.
324	Brown	Describes structure-based management. References negotiations with federal government for protection under the federal Endangered Species Act (ESA).

392	Chair Kropf	Asks whether the negotiations will be successful.
396	Brown	Affirms and continues to describe negotiation process.
408	Chair Kropf	Asks about legislative concepts to be presented to committee.
413	Brown	Describes legislative concepts.
TAPE 6, A		
035	Chair Kropf	Asks about emissions-trading investments in other parts of the world.
040	Brown	Describes.
048	Chair Kropf	Asks about the dollar amount of foreign investments.
050	Brown	Continues explaining legislative concepts. Submits additional written material regarding clearcutting (EXHIBIT D). Describes forest assessment project for sustainability (EXHIBITS E, F).
086	Chair Kropf	Adjourns meeting at 5:28 p.m.

Submitted By,

Reviewed By,

Patricia Nielsen
Committee Assistant

Ray Kelly,
Committee Administrator

EXHIBIT SUMMARY

- A – Department of Environmental Quality, DEQ 2001 Legislative Concepts, Lauri Aunan, 1 p**
- B – Oregon Department of Forestry, ODF Mission Statement, James Brown, 20 pp**
- C – Oregon Department of Forestry, ODF Forest Health Alert, James Brown, 6 pp**
- D – Oregon Department of Forestry, written material, James Brown, 2 pp**
- E – Oregon Department of Forestry, written material, James Brown, 1 p**
- F – Oregon Department of Forestry, written material, James Brown, 30 pp**