

HOUSE COMMITTEE ON STREAM RESTORATION
& SPECIES RECOVERY

February 19, 2001
1:00 P.M.

Hearing Room E
Tapes 37 - 39

MEMBERS PRESENT: **Rep. Bob Jenson, Chair**
 Rep. Jan Lee, Vice-Chair
 Rep. Randy Leonard Vice-Chair
 Rep. Tim Knopp
 Rep. Jeff Kruse
 Rep. Patti Smith
 Rep. Al King
 Rep. Carolyn Tomei
 Rep. Kelley Wirth

STAFF PRESENT: **Sandy Thiele-Cirka, Committee Administrator**
 Linda K. Gatto, Committee Assistant

MEASURE/ISSUES HEARD:
 Work Session
 Introduction of Committee Bills
 Informational Meeting
 Oregon Department of Transportation (ODOT)
 Oregon Watershed Enhancement Board (OWEB)
 Public Hearing
 HB 2537

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 37, A		
006	Chair Jenson	Calls the meeting to order at 1:16 p.m., and opens a work session for the introduction of committee bills.
<u>INTRODUCTION OF COMMITTEE BILLS</u>		
008	Sandy Thiele-Cirka	Administrator. Summarizes LC draft 2390 dated 2/12/01 (EXHIBIT A).
	Rep. Tomei	MOTION: Moves LC draft 2390 BE INTRODUCED as a committee bill.
	Chair Jenson	VOTE: Hearing no objection the motion CARRIES.
022	Thiele-Cirka	Summarizes LC draft 2619 dated 2/15/01 (EXHIBIT B).
028	Rep. Smith	MOTION: Moves LC draft 2619 BE INTRODUCED as a committee bill.
	Chair Jenson	VOTE: Hearing no objection the motion CARRIES.
033	Thiele-Cirka	Summarizes LC draft 3121 dated 2/14/01 (EXHIBIT C).
041	Rep. Kruse	MOTION: Moves LC draft 3121 BE INTRODUCED as a committee bill.
048	Chair Jenson	VOTE: Hearing no objection the motion CARRIES.

050	Thiele-Cirka Rep. Kruse	Summarizes LC draft 3432 dated 2/16/01 (EXHIBIT D). MOTION: Moves LC draft 3432 BE INTRODUCED as a committee bill.
059	Chair Jenson Thiele-Cirka Rep. Kruse	VOTE: Hearing no objection the motion CARRIES. Summarizes LC draft 3469 dated 2/16/01 (EXHIBIT E). MOTION: Moves LC draft 3469 BE INTRODUCED as a committee bill.
066	Chair Jenson	VOTE: Hearing no objection the motion CARRIES.
110	Chair Jenson <u>INFORMATIONAL MEETING</u> Grace Crunican	Closes the work session and opens the informational meeting. Director, Oregon Department of Transportation (ODOT). Submits (EXHIBIT F). Reviews the requirements of HB 2680 (1999). Notes and elaborates on primary observations made by the oversight committee.
		<ul style="list-style-type: none"> • Major transportation projects are not integrated with local land use and street system planning. • Resource protection agencies are not involved early enough in the transportation development projects. • Natural resource agencies are duplicating the environmental process. • Mitigation requirements were not consistent. • Natural resource agencies are not adequately staffed to perform environmental reviews. • Land use and environmental approval processes are undermining public involvement by making formal decisions late in the process.
320	Crunican	Lists the federal and state agencies involved in the Memorandum of Intent (MOI) and reviews the goals.
402	Rep. Kruse	Requests an elaboration of the federal constraints regarding wetland mitigation.
TAPE 38, A		
004	Crunican	Responds the aim is to minimize harm however, if a wetland is taken another is recreated.
070	Doug Tindall	Maintenance Engineer for ODOT. Refers to the Routine Road Maintenance Guide dated July 1999, (EXHIBIT F).
133	Rep. Tomei	Questions how the delay on the overpass in Clackamas County could have been avoided.
138	Crunican	Responds that the ODOT project cannot move forward until the Clackamas County project is completed. Summarizes that the Clackamas County project was designed before the Endangered Species Act (ESA) listing and afterward the designs were not updated. Summarizes and concludes presentation.
212	Geoff Huntington	Director, Oregon Watershed Enhancement Board (OWEB). Submits the strategic plan (EXHIBIT G). Reviews the statutory charge of OWEB.
280	Huntington	Illustrates the strategies outlined in (EXHIBIT G).
402	Huntington	Illustrates strategy eight.
TAPE 37, B		
031	Huntington	Illustrates how strategies ten and eleven involve the public.
065	Rep. King	Seeks comments on the pie chart for the Willamette Basin, pages 32 and 33, (EXHIBIT G).

075	Huntington	Responds that this is an overview of the 1997 – 1999 biennium. Explains that there are variable degrees of organizational ability and why funds were allocated as shown.
106	Ken Bierly	Deputy Director, OWEB. Comments on the Willamette allocation.
125	Rep. Smith	Inquires about the funds expended on acquisitions.
128	Huntington	Notes the rules of acquisition were introduced last November. Provides details.
166	Rep. Smith	Questions if third parties are utilized.
167	Huntington	Responds that OWEB’s role is as a banker.
190	Rep. Leonard	Questions if urban and rural watershed councils are funded at different rates.
194	Huntington	Responds the budget recommendation is \$4.1 million and pending requests are \$5.8 million.
203	Rep. Leonard	Question and answer discussion to clarify the funding rates and criteria.
312	Rep. Leonard	Comments that Johnson Creek and Columbia Slough watersheds are critical and notes concern about the methodology.
336	Huntington	Explains that these councils are entirely in the Portland metro area and the goal is to engage council support from other entities.
385	Rep. Lee	Questions if OWEB has had any applications that can be utilized for conservation.
400	Huntington	Answers that at this time there are no lease or transfer applications.

TAPE 38, B

008	Bierly	Interjects that there is one from an irrigation district in central Oregon.
064	Rep. Tomei	Questions why the Willamette Basin has fewer on the ground projects.
071	Bierly	States that the distribution of funds show the change from the 1997 – 1999 biennium and 1999 –2001 biennium.
099	Rep. Kruse	Request copies of the acquisition applications.
149	Chair Jenson	Closes informational meeting and opens the public hearing on HB 2537.

HB 2537 – PUBLIC HEARING

156	Thiele-Cirka	Summarizes HB 2537.
166	Phil Ward	Director, Oregon Department of Agriculture (ODA). Reviews the bill.
198	Ward	Refers to line 30, page two and explains ODA’s concern.
252	Glen Stonebrink	Oregon Cattlemen’s Association. Testifies in opposition to HB 2537. Notes conflict in line 26, page one, regarding rule and plan.
286	Terry Witt	Executive Director, Oregonians for Food and Shelter. Testifies in opposition to HB 2537. Comments that SB 1010 provides protection for water quality.
335	Dave Nelson	Representing Oregon Seed Council; Oregon Dairy Industry. Testifies in opposition to HB 2537. States objection to the two-year requirement and notes it inhibits implementing corrective action.
399	Mike Dewey	Representing the Oregon Wheat Growers League. Refers to issues with SB 1010 and notes there is a concern about enforcement relative to National Marine Fisheries Service (NMFS) and the Environmental Protection Agency (EPA). Notes opposition to HB 2537.

TAPE 39, A

040	Jim Welsh	Representing Oregon Family Farm Association. Testifies in support of HB 2537. Submits (EXHIBIT H) .
100	Pete Test	Oregon Farm Bureau. Submits (EXHIBIT I) in support of HB 2537 with language modifications.
104	Rep. Kruse	Comments on SB 1010.
143	Chair Jenson	Closes the public hearing on HB 2537 and adjourns the meeting at 3:00 p.m.

Submitted By,

Reviewed By,

Linda K. Gatto,
Committee Assistant

Sandy Thiele-Cirka,
Committee Administrator

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EXHIBIT SUMMARY

- A. LC 2390 draft dated 2/12/01, staff, 2 pp.**
- B. LC 2619 draft dated 2/15/01, staff 9 pp.**
- C. LC 3121 draft dated 2/14/01, staff 5 pp.**
- D. LC 3432 draft dated 2/26/01, staff 3 pp.**
- E. LC 3469 draft dated 2/16/01, staff 3 pp.**
- F. HB 2680 ODOT Report, written materials, Grace Crunican, 105 pp.**
- G. OWEB Strategic Plan, bound material, Geoff Huntington, 38 pp.**
- H. HB 2537, written testimony, Jim Welsh, 1 p**
- I. HB 2537, written testimony, Pete Test, 1 p**