

HOUSE COMMITTEE ON STREAM RESTORATION
& SPECIES RECOVERY

March 26, 2001
1:00 P.M.

Hearing Room E
Tapes 67 - 68

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

MEASURES HEARD:
 HB 2998 – Public Hearing
 HB 3451 – Work Session
 HB 3572 – 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
TAPE 67, A		
004	Chair Jenson	Calls the meeting to order at 1:55 p.m. as a sub committee and opens the public hearing on HB 2998.
<u>HB 2998 – PUBLIC HEARING</u>		
010	Sandy Thiele-Cirka	Administrator. Summarizes HB 2998 and the –1 amendment (EXHIBIT A) .
026	Kent Madison	Farmer, Umatilla County. Testifies in support of HB 2998. States the objective and provides background on the development of HB 2998.
083	Rep. Lee	Questions if this would jeopardize the assessment base.
090	Madison	Explains the current tax system.
114	Rep. Lee	Questions if there is a provision in the amendments to provide input from the soil and water conservation districts.
120	Madison	Responds that every citizen in that district has the ability to vote.
137	Katie Cate	Representing the Oregon Cattlemen's Association. Testifies in opposition to HB 2998. Explains how the bill would be unfair to certain water users.
160	Rep. Tomei	Questions if the proposed legislation is voluntary.
164	Cate	Responds it would have to be voted on before implementation.
168	Chair Jenson	Questions if the voters have the information to make this decision.
174	Cate	Responds that well users will be impacted less than irrigators.
189	Pete Test	Representing Oregon Farm Bureau. Testifies in opposition of HB 2998, but notes some support for the –1 amendment.

213	Jim Welsh	Oregon Family Farm Association. Testifies in opposition to HB 2998.
255	Geoff Huntington	Executive Director, Oregon Watershed Enhancement Board (OWEB). Reads prepared testimony (EXHIBIT B) .
289	Aubrey Russell	Representing Oregon Trout. Reads prepared testimony in support of HB 2998 (EXHIBIT C) .
353	Rep. Tomei	Questions if he supports the proposed amendments.
355	Russell	Explains his views on the proposed amendments.
397	Doug Myers	Representing WaterWatch. Testifies in support of HB 2998. Notes concern about criteria to address statewide concerns of water quality issues. Expresses concern that the bill could be a blank check for soil and water districts.

TAPE 68, A

011	Chair Jenson	Closes the public hearing on HB 2998. States that HB 2998 will be scheduled on April 5 th and 6 th .
029	Rep. Kruse	States that he would like to hear from the Oregon Association of Conservation Districts. Comments that they have the ability to determine the tax base. Notes concern with OWEB's position on funding. Points out that the main point lacking in salmon recovery is technical expertise.
055	Chair Jenson	Opens the work session HB 3451.

HB 3451 – WORK SESSION

085	Thiele-Cirka	Explains HB 3451 -1 and -2 amendments dated 3/23/01. (EXHIBIT D) .
094	Tim Josi	Tillamook County Commissioner. Submits written correspondence (EXHIBIT E) and the -3 through -6 amendments dated 3/26/01. Summarizes the -4 amendment (EXHIBIT F) .
172	Josi	Notes the -4 amendment is acceptable but the -6 dated 3/26/01 is preferred.
179	Rep. King	Requests clarification on shall and may.
184	Josi	Clarifies language.
200	Rep. Lee	Questions the difference between the -4 and -6 amendments.
205	Josi	Explains.
212	Rep. Kruse	Comments that the -4 amendments are more definitive.
265	Rep. Kruse	MOTION: Moves to ADOPT HB 3451-4 amendments dated 3/26/01.
268	Rep. King	States support for -4 amendments and notes there are still concerns to address.
318	Doug Rosenburg	Explains tidewater areas, and how over a million yards of sedimentation has been lost due to erosion. Notes that it is important to deal with the issues in cubic yards.
364	Josi	Summarizes the hurdles faced by counties.
406	Rep. King	Asks for clarification of a choke point.

(HB 3451) Written testimony submitted by Kay Brown **(EXHIBIT I)**

TAPE 67, B

011	Josi	Explains that a choke point is 200 feet or less.
017	Rep. Wirth	Questions why an exception to Goal 16 was not pursued.
023	Josi	Refers to the permitting process, biological assessments, and other time consuming issues.
051	Rep. Wirth	Questions if the process described is more arduous than amending a statewide statute.
053	Josi	Responds affirmatively and states that the current process does

064	Rep. Wirth	not allow time to react to floods.
073	Josi	Asks if HB 3451 is amending a statewide goal for one estuary. Explains that Goal 16 does not take in to account that the rivers fill with sediment.
083	Chair Jenson	Request information on the financial impact caused by flooding on the communities.
095	Josi	Responds that in the 1996 floods, private property and infrastructure losses were over \$60 million in Tillamook County.
152	Dick Benner	Director, Department of Land Conservation and Development (DLCD). Discusses the issues between Tillamook County and DLCD in developing HB 3451.
226	Rep. Leonard	Questions if the -4 amendments would require more hearings.
234	Brenner	Refers to the proposed language change of shall to may and interprets it as a suggestion to the commission to amend the goal.
242	Rep. Leonard	Questions if Goal 16 considers sediment issues.
261	Benner	Discusses the sediment issue, dredging and other processes.
309	Rep. Wirth	Questions if this is an amendment to the statewide planning goal.
323	Rep. Kruse	Notes that the legislature can amend statewide planning goals. Questions if to amend the goal, the language shall would have to remain.
357	Harrison Conley	Deputy Legislative Counsel. Clarifies the language shall encourages DLCD to make the change but does not direct them to do so.
378	Rep. Wirth	Questions if the change in the language would require the department to go through the same process of amending the goals.
386	Conley	Responds affirmatively.
TAPE 68, B		
451	Chair Jenson	VOTE: 9-0
462	Chair Jenson	Hearing no objection, declares the motion CARRIED.
		Closes the work session on HB 3154 and opens the public hearing on HB 3572.
<u>HB 3572 – PUBLIC HEARING</u>		
040	John Griffith	Coos County Commissioner. Reads prepared testimony (EXHIBIT G) .
118	Chair Jenson	Closes the public hearing on HB 3572 and adjourns the meeting at 3:25 p.m.
		Written testimony submitted by Robin Hartman, (EXHIBIT H) .

Submitted By,

Reviewed By,

Linda K. Gatto,
Committee Assistant

Sandy Thiele-Cirka
Committee Administrator

Transcribed By,

Michael Reiley,
Committee Assistant

EXHIBIT SUMMARY

- A. HB 2998 -1 amendment dated 3/19/01, 2 pp.**
- B. HB 2998, prepared testimony, Geoff Huntington, 1 p.**
- C. HB 2998, prepared testimony, Aubrey Russell, 1 p.**
- D. HB 3451, -1 and -2 amendments dated 3/23/01, staff, 2 pp.**
- E. HB 3451, written correspondence, Tim Josi, 2 pp.**
- F. HB 3451, -3 through -6 amendments dated 3/26/01, Tim Josi, 5 pp.**
- G. HB 3572, prepared testimony, John Griffith, 8 pp.**
- H. HB 3572, written testimony submitted by fax, Robin Hartman, 1 p**
- I. HB 3451, written testimony submitted, Kay Brown, 2 pp.**