

HOUSE COMMITTEE ON STREAM RESTORATION
& SPECIES RECOVERY

April 11, 2001
1:00 P.M.

Hearing Room E
Tapes 89 - 91

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 3547 – Public Hearing
HB 3334 – Work Session
HB 3711 – Public Hearing
HB 3637 – 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 89, A		
004	Chair Jenson	Calls the meeting to order at 1:04 p.m. as a subcommittee and opens the public hearing on HB 3547.
<u>HB 3547 – PUBLIC HEARING</u>		
013	Sandy Thiele-Cirka	Administrator. Summarizes HB 3547.
020	John McDonald	1 st Vice-President, Oregon Association of Conservation Districts. Reads prepared testimony in opposition to HB 3547, (EXHIBIT A) .
105	Glen Stonebrink	Executive Director, Oregon Cattlemen's Association. Testifies in support of HB 3547, submits (EXHIBIT B) .
144	Stonebrink	Summarizes that HB 3547 establishes acceptable TMDL's at the same time a stream is listed.
170	Rep. Smith	Questions if agricultural lands are less regulated.
175	Stonebrink	Responds that if a pollution source can be identified, agriculture would respond to correct the problem.
191	Jim Welsh	Representing Oregon Family Farm Association. Questions why regulate rural properties that are already regulated by DEQ's clean water restrictions. Testifies in support of HB 3547.
303	Chuck Craig	Deputy Director, Oregon Department of Agriculture (ODA). Testifies in opposition to HB 3574, reviews specific concerns submitted in (EXHIBIT C) .
451	Scott Ashcom	Representing Oregon Association of Nurserymen. Interprets that

the opponents of SB 1010 view the federal Clean Water Act as unable to regulate non-point pollution. Testifies in opposition to HB 3547.

TAPE 90, A

060 Chair Jenson

Closes the public hearing on HB 3547 and opens the work session on HB 3334.

HB 3334 – WORK SESSION

065 Rep. Ben Westlund

District 55. States there is a fiscal impact and suggests that HB 3334 be referred to the Committee on Ways and Means **(EXHIBIT D)**.

098 Chair Jenson

Closes the work session on HB 3334 and opens the public hearing on HB 3711.

HB 3711 – PUBLIC HEARING

113 Thiele-Cirka

Summarizes HB 3711.

135 McDonald

Submits and reviews **(EXHIBIT E)** in support of HB 3711.

240 Geoff Huntington

Executive Director, Oregon Watershed Enhancement Board (OWEB). Submits prepared testimony **(EXHIBIT F)**.

260 Mike Barsotti

Forestry Assistance Policy Manger, Department of Forestry. Submits prepared testimony in support of HB 3711 **(EXHIBIT G)**, and recommends that the legislature establish a task force to develop a statewide strategy that provides technical assistance for landowners.

310 Stonebrink

Testifies in support of HB 3711.

362 Rep. Kruse

HD 45. States full support of watershed councils and comments on the competition for funds among the watershed councils and the Soil and Water Conservation Districts. Proposes the need to provide funds for both, noting, this also needs to be a collaborative effort.

TAPE 89, B

052 Chair Jenson

Closes the public hearing on HB 3711 and re-opens the work session on HB 3334. Comments on the Umatilla Hatchery **(EXHIBIT H)**.

HB 3334 – WORK SESSION

100 Rep. King

Comments on hatcheries.

124 Roy Elicker

Legislative Coordinator, Oregon Department of Fish & Wildlife, (ODFW). Submits and summarizes **(EXHIBIT I)**.

172 Rep. King

Asks for a breakdown of the \$2.61 per pound cost.

185 Elicker

Clarifies that **(EXHIBIT I)** shows personnel services, services, supplies, and capital expenses.

187 Rep. Kruse

Notes hatcheries that are running at less than capacity.

195 Kay Brown

Policy Coordinator, ODFW. Clarifies that in order to fund the trout bill it would require the closure another hatchery.

222 Elicker

Continues review of the costs in **(EXHIBIT I)**.

288 Elicker

Notes that the Governor's recommended budget call for the closure of the Rock Creek, Butte Falls, and Trask hatcheries.

351 Rep. King

Questions what is meant by the closure of hatcheries.

315 Brown

Responds the closure is of the entire hatchery. Notes the personnel and facility costs.

331 Elicker

Reviews the overall cost of \$4.57 per pound and the \$2.61 direct cost.

371 Rep. Lee

Questions how difficult is it to restart the hatchery.

399 Brown

Responds there would be an expense but it has not been evaluated.

408 Rep. Lee

MOTION: Moves HB 3334 to the floor with a DO PASS

recommendation and BE REFERRED to the committee on Ways and Means.

394 Rep. Tomei States in the last legislative session a program raised the hatchery funds going to private hatcheries at ten percent and would prefer that program finish before extending it to 25% and declares she will be a no vote.

434 Rep. Wirth States she will be a no vote for the reason stated by Rep. Tomei

VOTE: 6-3
AYE: 6 - King, Knopp, Kruse, Lee, Smith P, Jenson
NAY: 3 – Leonard, Tomei, Wirth
The motion CARRIES.

463 Chair Jenson Closes the work session on HB 3334 and opens the public hearing on HB 3637.

HB 3637 – PUBLIC HEARING

468 Thiele-Cirka Summarizes HB 3637.

TAPE 90, B

043 Chair Jenson Reviews the –1 through –9 amendments (**EXHIBIT J**).

055 Rep. Krieger HD 48. States the bill requires commission members to represent areas of interest. Explains why this knowledge is critical.

125 Rep. Kruse Comments that most commission terms are at the pleasure of the governor.

140 Rep. Wirth Discusses the current selection process.

182 Roy Hemmingway Governor’s Salmon and Energy Advisor, Governor’s Natural Resources Office. Explains the current appointment requirements and process.

270 Hemmingway Reviews the population of the districts are being represented. States the current statute provides adequate geographic distribution.

331 Rep. Lee Comments that the Water Resources Commission changed from congressional districts to basin groups.

340 Hemmingway Responds that of the seven on the commission only two would come from the Willamette Valley.

364 Rep. Lee Notes that the Water Resources Commission also has only two from the Willamette Valley.

397 Chair Jenson Discusses testimony regarding governor appointments.

TAPE 91, A

014 Hemmingway Responds that one of the governor’s principal duties is to appoint his staff and agency heads.

061 Hemmingway Describes and reviews the events of the last two years.

075 Jim Myron Representing Oregon Trout. Comments on the concern of appointing interest groups to the commission. Refers to the –3 amendments (**EXHIBIT J**).

100 Phil Donovan Representing Oregon Guides and Packers Organization. Reviews prepared testimony in support of HB 3637, (**EXHIBIT K**). Refers to the -1, -4, and -5 amendments (**EXHIBIT J**).

196 Chair Jenson Reviews the legislative concept:

- The commission will appoint the chair with the approval of the governor and confirmation of the senate.
- Two-year sunset.

States the purpose is to establish credibility of the agency, director, and commission between the executive and legislative branch.

209	Donovan	States preference for the -6 amendments.
223	Steve Byland	Resident of Gold Beach. Comments on the reasons he believes the commission is inefficient.
318	Chair Jenson	Closes the public hearing on HB 3637 and adjourns the meeting at 3:15 p.m.

Submitted By,

Reviewed By,

Linda K. Gatto,
Committee Assistant

Sandy Thiele-Cirka,
Committee Administrator

EXHIBIT SUMMARY

- A. HB 3547, prepared testimony, J. McDonald, 2 pp.**
- B. HB 3547, printed materials, G. Stonebrink, 18 pp.**
- C. HB 3547, prepared testimony, C. Craig, 4 pp.**
- D. HB 3334, Legislative Fiscal Office statement, Staff, 1 p**
- E. HB 3711, prepared testimony, J. McDonald, 8 pp.**
- F. HB 3711, prepared testimony, G. Huntington, 1 p.**
- G. HB 3711, prepared testimony, M. Barsotti, 2 pp.**
- H. Umatilla Hatchery, fact sheet, Rep. Bob Jenson 1 p.**
- I. HB 3334, Organizational & Fiscal Impacts report, R. Elicker, 16 pp.**
- J. HB 3637, -1 amendment dated 03/27/01; -2 amendment dated 4/9/01; -3 amendments dated 4/9/01; -4 amendments dated 4/11/01; -5 amendments dated 4/11/01; -6 through -9 conceptual amendments, staff, 19 pp.**
- K. HB 3537, prepared testimony, P. Donovan, 2 pp.**