

HOUSE COMMITTEE ON STREAM RESTORATION
& SPECIES RECOVERY

April 05, 2001
7:00 P.M.

Hermiston City Hall
Tapes 82 - 84

MEMBERS PRESENT: **Rep. Bob Jenson, Chair**
 Rep. Randy Leonard Vice-Chair
 Rep. Al King
 Rep. Carolyn Tomei
 Rep. Kelley Wirth

MEMBER EXCUSED: **Rep. Jan Lee, Vice-Chair**
 Rep. Tim Knopp
 Rep. Jeff Kruse
Rep. Patti Smith

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

MEASURE/ISSUE HEARD:
 Informational Meeting
 District 57 Irrigation & Water Conservation Efforts
 Public Hearing
 HB 2998

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 82, A		
009	Chair Jenson	Calls the meeting to order at 7:09 p.m. Acknowledges appreciation of the public attendance and introduces the committee members. Opens informational meeting.
<u>INFORMATIONAL MEETING</u>		
066	Bob Hale	Family Farmer. Presents an overview of the Columbia Basin using a satellite map. Discusses the ground water areas that have been regulated and permitting situation. (EXHIBIT A) .
136	Rep. Tomei	Questions if the red areas on the map are the irrigated areas.
138	Hale	Responds affirmatively.
140	Hale	Refers to page three of (EXHIBIT A) .
166	Chair Jenson	Questions if this is consumptive use by all users.
217	Hale	Responds that 80 percent of water uses is for agriculture. Refers to page five of (EXHIBIT A) .
271	Rep. Wirth	Asks how the Columbia River compares in miles between the states of Washington, Idaho, and Oregon.
287	Hale	Refers to page three of (EXHIBIT A) .
310	Hale	States that northeastern Oregon and parts of Washington lead the nation in conservation. Notes how these efforts have become a liability.
340	Chair Jenson	Comments on the development of mitigation credits for technology that has been in place for years.
351	Hale	Explains the market share losses that result if irrigated acres are

		regulated and land used to replace those acres is not acquired fast enough.
385	Rep. Tomei	Questions why the state of Washington is receiving ten times the permits that Oregon gets.
396	Hale	Explains the difference in water law and continues explanation regarding how the market share was removed from Oregon.
450	Chair Jenson	Clarifies that Washington had a longer lead-time.
TAPE 83, A		
020	Hale	Notes that the economics of an area is closely tied to water. Comments on the parties and costs involved.
047	Darrel Olson	Resource Economist submits (EXHIBIT B) . States the proposal is for improving and developing better water management system throughout the Columbia River Basin.
103	Olson	Discusses the Endangered Species Act (ESA) and the National Marine Fisheries Service (NMFS) no-net-loss policy.
127	Olson	Discusses flow augmentation and water temperature.
198	Olson	Suggests amending the fish program (EXHIBIT B) . Proposes that 80 percent of the existing flow augmentation and reshape the water for hydropower production. Explains the cost savings and proposes to use this money in the watersheds on water storage projects.
260	Olson	States the proposed amendment is before the Northwest Power Planning Council (NPPC). Requests that the House Stream Restoration & Species Recovery committee review the proposal.
300	Rep. Tomei	Questions how would habitat and lower temperatures be achieved.
310	Olson	Responds by defining habitat as water availability, that the water is transferred.
330	Rep. Wirth	Questions if water usage encompass storage.
336	Olson	Responds the storage is what is controlled from runoff. Explains consumption and storage.
TAPE 82, B		
025	Chair Jenson	Closes the informational meeting and requests information on the Echo Springs project.
038	Harmon Springer	Resident. Reviews the project. Explains that water is removed from the Umatilla River to flood the Echo Meadows in the winter and resurfaces in the river at the colder temperature in July or August.
102	Rep. Leonard	Clarifies that the objective of the project is to cool the river.
108	Springer	Responds affirmatively and concludes by stating that the belief is that the recharge systems are an influence to cooling the river as riparian areas are.
128	Chair Jenson	Closes the informational meeting and opens the public hearing on HB 2998.
<u>HB 2998 – PUBLIC HEARING</u>		
135	Sandy Thiele-Cirka	Administrator. Summarizes HB 2998.
140	Chair Jenson	Summarizes the background of HB 2998. Comments on the proposed amendment of create a pilot program.
180	Kent Madison	Refers to the –1 amendment dated 03/19/01 (EXHIBIT C) . Explains and reviews how the program would be based on permitted water rights.
225	Madison	Refers to section two and reads the hand engrossed version, line 19 (EXHIBIT D) . Notes that the tax would last four years and the citizens would have to re-vote to keep the tax in place.

282	Madison	Continues review on the types of projects the fee could be used for. Proposes a conceptual amendment that would allow the Soil and Water Conservation District to reimburse the election expenses.
300	Chair Jenson	Explains that legislative concepts sometimes come back as bill drafts that do not reflect the intent of bill.
348	Rep. Tomei	Clarifies that the fee would be based on the legal entitlement.
350	Madison	Responds affirmatively. Discusses conservation incentives.
381	Rep. King	Questions if the irrigation districts would be a better place to pilot the program.
434	Madison	Responds this does not fall under the double majority criteria. Explains why the Soil and Water Conservation Districts have been selected.
TAPE 83, B		
017	Rep. King	Requests clarification on how the excise tax affects someone passing along water rights to in-stream use.
019	Madison	Responds the tax bill would come to the legal holder of the permit. Notes the advantage that the Water Resources Department would have to digitize the water right map to match the water rights map.
033	Rep. Wirth	Refers to (EXHIBIT D) and questions how the water rights differ between users.
040	Madison	Responds that it depends what the rights are based on.
064	Rep. Wirth	Questions what assurance is there that users do not go over the maximum amount allowed. Questions if the largest right holders are the largest users.
065	Madison	Responds that the bill would combine a fiscal consequence with a metering device. Compares the usage of a port right to an agricultural right.
090	Bill Brewer	Landowner and Water User, Board of Director on the Westland Irrigation District. Testifies in opposition to HB 2998. States the irrigation district already believe that too much money is designated to the government for water consumption. Clarifies that every acre-foot of water is monitored closely and that all users have a headgate or meter.
170	Rep. King	Questions what he is opposed to.
175	Brewer	Responds he is opposed to an overall tax, adds he is not opposed to the projects. States he is opposed to a bill that creates another tax.
194	Chester Prior	Testifies in opposition to HB 2998. Comments that funding for conservation projects needs to be from the bottom up and there is funding currently available from other sources.
270	Tom Gilleese	President of the Hermiston Economic Development Corporation. States that over 5,000 gallons a day requires a water right. Explains the methodology that would be needed to monitor the taxing process.
329	Rep. King	Questions how many foot acres of water does it take to create a new job in Umatilla county.
343	Gilleese	Responds it has been determined that it takes three acre feet of water to raise a crop on a farm, and 30 jobs for a 1000 acres of farm.
366	Chuck Miller	Chairman of the Board of the Hermiston Irrigation District. Testifies in opposition to HB 2998. States the cost to the users would be about \$12,500. States some of the acres are metered

420	Rep. Leonard	and some are not. Questions why all outlets are not metered.
TAPE 84, A		
013	Rep. Tomei Miller	Clarifies that the electors in the district would approve the tax. Responds the bill is using the Soil and Water Conservation District, which is larger than the irrigation district.
027	Rep. Wirth	Asks what are the maximum amounts allowed by a water right for municipalities.
033	Miller	Responds it is based on the soil type.
052	Chair Jenson	Closes the public hearing on HB 2998 and adjourns the meeting at 9:05 p.m.

Submitted By,

Reviewed By,

Linda K. Gatto,
Committee Assistant

Sandy Thiele-Cirka,
Committee Administrator

EXHIBIT SUMMARY

- A. Irrigation & Water, graphs, Bob Hale, 6 pp.**
- B. Irrigation & Water, printed materials, Darrel Olson, 15 pp.**
- C. HB 2998, -1 amendments dated 3/19/01, staff, 2 pp.**
- D. HB 2998, hand engrossed with the -1 amendments dated 3/19/01, staff, 2 pp.**