

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

January 29, 2001
8:30 A.M.

Hearing Room E
Tapes 10 - 11

MEMBERS PRESENT: **Rep. Betsy Close, Chair**
 Rep. Laurie Monnes-Anderson, Vice-Chair
 Rep. Susan Morgan, Vice-Chair
 Rep. Mark Hass
 Rep. Bob Jenson
 Rep. Deborah Kafoury
 Rep. Al King
 Rep. Jeff Kruse
 Rep. Jan Lee

STAFF PRESENT: **Megan Palau, Committee Administrator**
 Shannon Relaford, Committee Assistant

MEASURE/ISSUES HEARD:
 Department of Agriculture
 WaterWatch
 Introduction of Committee Bill
 HB 2539 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 10, A		
005	Chair Close	Convenes meeting at 8:35 a.m.
		<u>DEPARTMENT OF AGRICULTURE</u>
017	Phil Ward	Director, Department of Agriculture. Submits written material (EXHIBIT A) and presents overview of SB 1010 (1993).
129	Rep. Morgan	Questions if there is a standard procedure for local advisory committees to be appointed.
132	Ward	Responds there is. States that soil and water conservation districts, local farm bureau chapters, and other agricultural organizations and county courts in a local community are asked for recommendations.
145	Rep. Morgan	Questions what is the attempt to recruit a broad-based group.
149	Ward	Responds that the law is pretty specific about the membership on the committees. Notes that there has to be a majority of landowners on the committee, which allows for representation from the public and agency members.
160	Rep. Close	Questions if there is specified number in statute of how many will be on the committee.
162	Ward	Responds there is not a specified number, and continues.
179	Rep. Jenson	Asks for a breakdown on the committees.

182	Ward	Provides a map.
196	Rep. Morgan	Asks if the goal is to end up with 91 plans.
200	Ward	Responds the goal is to end up with 40 plans.
202	Rep. Morgan	Questions the time line for completion of the program.
203	Ward	Hopes by 2002.
219	Rep. Close	Asks if the idea is that each area will have different needs, and plan for their own needs.
221	Ward	Concurs.
234	Rep. King	Requests a thumbnail report on the reduction of nitrogen and improvement on the Tualatin River.
237	Ward	Responds he does not have a detailed work up, but could provide them.
145	Rep. King	Requests more data.
146	Ward	Adds he will provide more data.
149	Rep. Kruse	Questions when the rules were adopted for the Umpqua.
150	Ward	Replies about two weeks ago.
153	Rep. Kruse	Questions the separation of Bear Creek from the plan and will it at some time be integrated into the Rogue Plan.
263	Ward	Responds that Bear Creek is a unique drainage.
265	Rep. Kruse	Comments on the Bear Creek drainage systems impact on the Rogue System.
266	Ward	Responds he thinks the work is designed to be integrated with the Rogue.
268	Rep. Jenson	Refers to the map and questions why there are areas around the state where there is nothing scheduled.
280	Ward	Explains they do not have jurisdiction on the Indian reservations
282	Rep. Jenson	Inquires about Hells Canyon.
283	Ward	Replies it is probably a federal lands issue.
293	Rep. Kruse	Remarks on the political nature of working with the tribes. Asks if the tribes have been approached.
302	Ward	Responds the tribes have been involved.
311	Rep. Monnes Anderson	Questions who does the monitoring.
320	Ward	Responds it's their intent to use the local soil and water conservation districts to the greatest extent possible, and that if a need for enforcement arises, then the department is involved. Mentions water quality advisory letters.
394	Chair Close	Questions which Federal Agencies are involved.
395	Ward	Responds NMFS and EPA, continues with overview.
TAPE 11, A		
010	Rep. Morgan	Comments on landowner concerns and compliments the Department of Agriculture on their actions. Comments on the monitoring and the land owners involvement.
040	Rep. Kruse	Questions the budget packet for monitoring.
042	Ward	Responds a single position to design a monitoring program around the state.
048	Rep. Kruse	Continues with having field folks at the local level that can actually do the monitoring and coordinate it at the local level.
054	Ward	Responds they're trying to get someone on board and figure out what is going on monitoring wise and coordinate efforts.
066	Rep. Kruse	Asks if the Safe Drinking Water Act comes into play in this process.
070	Ward	Responds he does not recall.

072 Rep. Kruse Comments on combining resources and showing results.
 080 Rep. Morgan Comments on complexity of the monitoring issue.
 095 Ward Continues with overview.
 131 Rep. Close Congratulates the department on their approach, especially the advisory letter, before fines are levied.
 141 Rep. Morgan Comments on the department's newsletter.

WATERWATCH

150 Karen Russell Senior Staff Attorney, WaterWatch. Submits written material **(EXHIBIT C)** and gives overview of WaterWatch.
 260 Rep. Morgan Asks for position on water impoundments.
 268 Russell Responds in some areas storage can be used and works.
 281 Doug Myers WaterWatch. Further explains use of dams and conservation.
 300 Rep. Close Asks about floods creating rebates on water.
 302 Myers Explains that people in Oregon don't pay for water. Clarifies that they pay for treatment, transportation, but not for the water.
 320 Russell Continues with over view and use of monitoring and measuring.
 371 Rep. Kruse Asks for WaterWatch's position on unfunded mandates. Explains there are prohibitions against unfunded mandates from the state to other levels of government, but not from the state to private citizens.
 380 Russell Explains water users use the water with out paying anything. Comments that part of the cost of doing business and using the water would be measuring the water use, and that measuring should be part of the process of using the water.
 404 Rep. Kruse Follows with things that fall into the public benefit fall into the public realm to fund.
 406 Myer Remarks on the wisdom of the state getting into cost share for programs.
 422 Rep. Kruse Comments on not wanting to put small farmers out of business because of the cost.
 439 Myer States you can't manage a basin without knowing who's using what and where.
 449 Russell Continues with overview.

TAPE 10, B

066 Rep. Jenson Asks what is WaterWatch's primary source of revenue.
 073 Russell Responds she's not sure, but will check.
 078 Chair Close Follows up by asking what is the major foundation.
 080 Russell Responds she doesn't know.
 081 Chair Close Opens a work session.

INTRODUCTION OF COMMITTEE BILL

083 Rep. Morgan MOTION: Moves LC 1627 BE INTRODUCED as a committee bill.
 091 Megan Palau Committee Administrator. Gives description of bill.
 106 Rep. King States that he would like to know the meaning of "repeals temporary rule schedule". Asks if they are retaining the fee.
 110 Chair Close Responds the idea is to adjust the fee, but bill looks like they're adjusting the date.
 117 Rep. King States he will support the bill as a committee bill, but wants to understand the fees first.

119	Rep. Morgan	Requests a bill number so it can be brought to the committee and discussed as a bill.
122	Chair Close	Suggests that we wait and see what Idaho's fee is.
129	Rep. Monnes Anderson	Questions if this is a lot of money.
130	Chair Close	Believes its \$35 per ton in Oregon and \$15 in Idaho.

VOTE: 8-0

EXCUSED: 1 – Lee

Hearing no objection, declares the motion CARRIED.

138 **Chair Close**
 145 Chair Close
HB 2539 PUBLIC HEARING
 146 Chair Close

Closes the work session. Opens the public hearing on HB 2539.

States that this bill is Rep. Lee's bill, and since she is excused, they will take the testimony at a later time. Closes the public hearing on HB 2539 and adjourns the meeting.

Submitted By,

Reviewed By,

Shannon Relaford,
 Committee Assistant

Megan Palau,
 Committee Administrator

EXHIBIT SUMMARY

- A – Department of Agriculture, written material, Phil Ward, pp.**
- B – Department of Agriculture, written material, (who submitted), pp.**
- C –WaterWatch, written material, Karen Russell, pp.**