

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

February 05, 2001  
8:30 AM

Hearing Room E  
Tapes 14 - 15

**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:**     **Water for Life**  
                                  **HB 2108 Work Session**

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**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.**

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 14, A</b>		
002	Chair Close	Convenes meeting at 8:40 a.m.
<b><u>WATER FOR LIFE</u></b>		
009	Richard Kosesan	Water for Life. Gives background and overview of Water for Life, primarily in regard to screening of diversion projects and the cooperative cost sharing for screening.
046	Chair Close	Requests clarification of costs.
050	Kosesan	Responds with breakdown of costs. States that the divertor was responsible for a third of the cost, for installation and maintenance of screen, the sportsmen were responsible for one third, and the general fund paid a portion through a tax credit. Continues with overview.
070	Chair Close	Inquires about the budget and members.
072	Kosesan	Replies there are 700 plus members state wide.
073	Chair Close	Questions the major source for the budget.
074	Kosesan	Replies private irrigators and member's dues.
075	Rep. King	Requests the budget information when it is available.
078	Kosesan	Replies he will get that information.
079	Rep. King	Questions what Water for Life does, what are their activities and how are they involved in the legislative process.
080	Kosesan	Explains the various activities and education processes.

090	Rep. King	Inquires if they work with watershed councils and soil districts.
091	Kosesan	Responds yes.
092	Rep. Jenson	Inquires if the 700 plus membership is principally in the Klamath Basin or state wide, what kind of distribution bias is there.
095	Kosesan	Believes the vocal point is in the Klamath Basin but it has expanded and is distributed state-wide.
101	Rep. Kruse	Asks if the organization has concerns on the debate on ground water.
107	Kosesan	Responds yes.
109	Rep. Kruse	Comments that ground water is going to be a major water issue this session.
113	Rep. Lee	Questions if the organization is concerned with the application of the Endangered Species Act, that water rights will not be served by priority.
116	Kosesan	Responds yes, that is a major issue for the state of Oregon, short term and long term.
126	Rep. Kruse	Inquires if we are any closer to seeing a light at the end of the tunnel in the Klamath Basin issue.
128	Kosesan	Replies that the Klamath Basin in terms of the current adjudication process is different from anything in the past in that this is the first time there has been significant amounts of water tied to federally reserved claims. Notes that there are approximately 700 claimants, with 400 of those coming from government claims as opposed to private irrigators.
141	Rep. Kruse	Wonders if the proposed Senate bills lead the way to the light at the end of the tunnel. Remarks at some point we need to come to resolution.
150	Kosesan	Explains the two proposals would clarify portions of the law, specifically amount of bond and enforcement issues.
160	Chair Close	Opens a work session on HB 2108.
<b><u>HB 2108 WORK SESSION</u></b>		
183	Megan Palau	Committee Administrator. Gives background on compact and reports Washington, California, Alaska and Hawaii have no pending legislation or talk of doing any work on the compact. Mentions other organizations that deal with issues related to oil.
211	Rep. Kruse	Questions the active compact's accomplishments.
217	Palau	Responds they have lists of accomplishments on their web site.
228	Rep. Lee	Questions former Representative Terry Thompson regarding invasive species problems.
234	Terry Thompson	Responds that they have made all the states aware of the invasive species problems. Notes that they have raised the priority of the Zebra Muscle and the Mitten Crab, which can cause tremendous damage to the state. Refers to the high sea drift net memorial.
275	Rep. Kruse	Reiterates his desire to find out what is being done.
276	Rep. Morgan	Refers to other issues that were discussed, such as the lying of cables on the ocean floor and marine gravel mining. Questions what would be the forum for those issues to be discussed among the states.
280	Thompson	Replies in reference to marine gravel mining there is no forum at this time.
296	Rep. Morgan	Remarks that this could potentially be a forum for that discussion.
302	Thompson	Concurs.
304	Rep. Morgan	Continues by asking if there is another forum where fiber optic

308	Thompson	cable issues can be discussed with other states. States to his knowledge the fiber optic cable issue is brought out by an international agreement, which has been the law they have maintained.
322	Rep. Morgan	Recalls discussing this issue in the last session and having difficulty in gathering information from other states on how they deal with fiber optic cables issues. Wonders if that could be one of the values in keeping the compact.
331	Thompson	Responds it may be the reason to keep it.
360	Bob Rindy	Department of Land Conservation and Development, Presents analysis of bill <b>(EXHIBIT A)</b> . States the potential of the bill is something the committee should consider.
382	Don Oswell	Coastal Coordinator, Department of Land Conservation and Development. Continues with reasons for keeping the bill. States the compact actually creates some regulatory authority that the other forums do not possess. Notes that the current compact, if enacted, would give the states a certain management and regulatory clout with the federal government. States to their way of thinking it would be wise to have this tool on the books, and cautions the committee about removing that authority.
412	Chair Close	Questions where in the statute the authority is stated.
422	Oswell	Replies he can't answer, but will provide a more complete analysis and answer more other specific issues.
434	Rep. Jenson	States it is his understanding that in order to have the compact, two other states must ratify or become parties to it, and he understands that no other states have come forward and it would also take an act of Congress to ratify the compact.
466	Rindy	Responds yes, it would take two legislative acts by other states and an act of Congress, but if you remove it, it will take three legislative acts.
480	Rep. King	Remarks that even if all the other pieces of legislation happen, they won't be exactly as our statute and we would have to re-pass concurrence and re-visit it. States we don't have anything that's likely to function in the event that the other states or the feds were to enact a compact.
<b>TAPE 15, A</b>		
048	Oswell	Responds that the Oregon statute could be used as a model for other states.
053	Thompson	Adds that the amount of effort getting Oregon this far was considerable and there doesn't seem to be a downside to having the bill stay on the books. Ponders what is lost if this is left in place.
067	Rep. Monnes-Anderson	Refers to article on the New Carissa and the suit filed by the owners against the Coast Guard, and says at least this is a mechanism that is in place.
086	Rep. Kruse	States if there is a motion to remove this bill he will vote against it because this is on the books, its been through the process and it is costing nothing.
106	Rep. Hass	Adds that there is no harm in keeping it on the books.
121	Rep. Morgan	Concurs with Rep. Kruse's comments. Notes it is not an ideal vehicle, but it does signal our willingness to get it rolling.
129	Rep. Jenson	States he was in favor of removing the bill, but we may in the future have a need for it.
149	Thompson	Stresses that the purpose of bringing the bill was to review and

163

Chair Close

see if it is needed. Notes that it may be that it could be improved in the area of fiber optic cables and mining.  
Closes work session on HB 2108. Adjourns the meeting at 9:20 a.m.

Submitted By,

Reviewed By,

Shannon Relaford,  
Committee Assistant

Megan Palau,  
Committee Administrator

**EXHIBIT SUMMARY**

**A – HB 2108, written testimony, Bob Rindy, 1 p.**