

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

March 01, 1999 Hearing Room D

1:00 P.M. Tapes 48 - 50

MEMBERS PRESENT: Rep. Jim Welsh, Chair

Rep. Jackie Taylor, Vice-Chair

Rep. Richard Devlin

Rep. Susan Morgan

Rep. Jeff Kruse

Rep. Deborah Kafoury

Rep. Jason Atkinson

Rep. Jeff Merkeley

Rep. Juley Gianella

MEMBER EXCUSED:

STAFF PRESENT: Kristina McNitt, Administrator

Danielle Hamilton, Administrative Support

MEASURE/ISSUES HEARD: HB 2626 Public Hearing

HB 2627 Public Hearing

HB 2801 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 48, A		

005	Chair Welsh	Calls meeting to order at 1:10 and opens public hearing on HB 2626 and HB 2627.
<u>HB 2626 AND HB 2627 PUBLIC HEARING</u>		
012	Kristina McNitt	Administrator. Summarizes of HB 2626 and HB 2627.
027	Liz VanLeeuwen	Halsey. Testifies in support of HB 2626 and HB 2627. States her surprise at the lack of scientific evidence of the effects of channel maintenance. Points out the problems with the shallow areas of the Willamette River as it is. Overviews the objective of HB 2626 and HB 2727. Refers to (EXHIBIT A) .
078	Rep. Morgan	Asks why VanLeeuwen thinks the Mid Willamette Valley Counsel of Government is the appropriate group to monitor the study.
088	VanLeeuwen	Answers that legislative counsel adding that into HB 2627 due to the separate government entities involved.
093	Rep Shetterly	District #34. Addresses Rep. Morgan's question about the monitoring group.
105	Rep. Kruse	Asks how the work of HB 2626 and HB 2627 will tie in with the Willamette Basin Initiative Group (WBI).
110	Rep. Shetterly	Answers HB 2626 and HB 2627 will provide additional information States the two main issues in HB 2626 and HB 2627 addresses. Notes that nobody knows the effects of dredging. Displays a mangled boat propeller.
160	Rep. Shetterly	States the Willamette is an important enough resource that it merits a hard look at the true effects of dredging.
165	Rep. Taylor	Asks how deep the marked channel will need to be dredged in order to be navigable by a paddle wheeler.
170	Rep. Shetterly	Answers about four feet. Emphasizes that HB 2626 and 2627 are not sternwheeler bills.
188	Rep. Taylor	Testifies on the benefit of dredging the Clatsmanine River.
200	Rep. Kruse	Addresses concern with conflicts between HB 2626, HB 2627, and the WBI project. Suggests the two projects be in communication.
224	Rep. Shetterly	States he would rather the dredging research remain separate from the WBI project.

238	Rep. Kruse	States that if the dredging research is independent, there should be an information connection with WBI.
242	Rep. Shetterly	Agrees with Rep. Kruse's statement.
245	Rep. Gianella	Asks what size boat the damaged propeller came from and what it hit.
249	Rep. Shetterly	Answers he is not sure the size of the boat, but would guess the propeller hit gravel.
259	Rep. Merkley	Asks if HB 2627 is authorizing forty miles of dredging.
264	Rep. Shetterly	Answers the intent is not to dredge immediately.
278	Sonya Cooper	Executive Director of Chamber of Commerce, Salem. Testifies in support of HB 2626 and HB 2627. Overviews the history of the River Reclamation Committee. Expresses hope that HB 2626 and 2627 will have an impact on tourism in the Willamette Valley.
328	Sony Cooper	States she feels the River Reclamation Committee and other concerned groups have gone as far as possible to research the effect of dredging.
367	Ray Tesley	Mid Willamette Counsel of Government (COG) and serves on the Monmouth and Independence Taskforce. Testifies in support of HB 2626 and 2627. States the COG's understanding is that the dredging will only be done if it is monitored and part of a large study. Notes that COG has done some preliminary work.
TAPE 49, A		
002	Rep. Merkley	Asks the Length of the Willamette between Salem and Independence.
005	Tesley	Answers about fourteen miles.
009	Rep. Merkley	Asks what is the cost to dredge that channel.
014	Tesley	Answers it ranges from \$511,000 to \$852,000 dollars. States it works out to be about \$8.00 a cubic yard.
019	Rep. Merkley	Asks if dredging would have to occur annually.
017	Tesley	Answers the recommendation for maintenance is about every two years.

020	Stephen Kafoury	American Fishery Society (AFS). Explains the purpose of the AFS. Testifies in opposition of HB 2626 and HB 2627.
027	Tim Hardon	President of the AFS. Testifies in opposition of HB 2626 and HB 2627. Suggest the committee look at some fishery studies Gives examples of possible effects of dredging. Categorizes dredging as an unknown. States dredging may have major environmental impact.
078	Hardon	<p>Suggests that an independent fishery biologist be hired to do a two day study on the effects of dredging on fish. States the study should be based on five factors:</p> <ul style="list-style-type: none"> • Endangered species listings • Oregon Plan capability • Habitat loss for rearing fish • Spawning gravel configurations • Sediments toxin release <p>States an independent study would show that dredging is not worth starting.</p>
102	Rep. Taylor	States estuaries were a concern when the Columbia was being dredged an additional three feet. Asks if estuaries are a concern with dredging the Willamette River.
112	Hardon	Asks Rep. Taylor if her question is what type of a hydrological effect occurs with dredging.
116	Rep. Taylor	Asks if dredging takes water from estuaries to fill the additional capacity.
117	Hardon	Answers when major habitat changes are made it is hard to know what the river will look like a few years from now.
125	Rep. Gianella	States the Willamette used to be navigable and is not now. Asks if dredging would put the sediment back in its original place.
127	Hardon	Answers no.
139	Rep. Merkley	Asks historically was the Willamette navigable and if it was why is it not now.
147	Hardon	Answers that several hundred years ago the Willamette was more spread out and had more channels.
157	Rep. Merkley	Asks if the Willamette was navigable year round.
160	Hardon	Answers he would guess that it was not.

163	Rep. Kruse	Notes that on line 8 of HB 2626, the fisheries conservation is mentioned as part of the multiple beneficial objectives of erosion control. Asks if Hardon is willing to make a scientific estimate of the level of toxicity in the sediments before the study has been completed.
170	Hardon	Comments that in HB 2626 on the list of studies to be done, he does not see any studies involving fishery issues. Restates his earlier comments an independent fisheries biologist.
183	Rep. Kruse	Expresses concerns with making assessments before the study has been completed.
190	Hardon	States fishery studies should be listed with the other studies in HB 2626.
203	Rep. Devlin	States the river was dredged prior to 1976. Asks if the sedimentation that is built up since is the result of natural occurrences.
213	Hardon	Answers that the sediment the is in the Willamette is a result of unnatural and natural processes.
222	Rep. Devlin	Asks if the long term affects of sedimentation in the Willamette are known.
236	Hardon	Gives examples of possible effects.
245	Kafoury	Comments because of the Endangered Species Act and the Oregon Plan, if a problem with fish is found the dredging study becomes a no starter. Notes if a independent fish study could be done quickly and efficiently, why spend lots of money on a dredging study that will be prohibited to continue if it is found to negatively affect fish.
264	Rep. Kruse	Notes that rivers scourer naturally. Questions what the difference of a river that scourers naturally and one that is dredged. Comments that there is a lot of room for discussion.
284	Hardon	Restates if this dredging study is going to be done, the fisheries need to be studied.
293	Rep. Gianella	Asks if Hardon in insinuating that the fish biologists are in charge.
299	Hardon	Answers no.
305	Kafoury	States the endangered species act is the law of the land and if the fishery biologist express concerns the law will fallow through.

314	Rep. Gianella	Asks if the fishery biologists are empowered by the Endangered Species Act.
321	Hardon	Points out that if a fishery biologist does a short study that concludes dredging will impact habitat, the laws will not allow the dredging to commence.
338	John Lilly	Assistant Director, Division of State Land (DSL). (EXHIBIT B) Testifies in support of HB 2626. Reads goal of the Willamette River Reclamation Committee (WRRC). Discusses the benefits of HB 2626.
390	Lilly	Notes that an outside group was chosen to perform the research in the indicated study in HB 2626, because DSL is not staffed to handle it. Comments that contracting for the research is the best option.
TAPE 48, B		
040	Lilly	Refers to a report received from Oregon State University (OSU) during the 1997 session. Addresses the importance of understanding waterways. Echoes that the fishery issues do need to be examined. Responds to the concerns of sedimentation removal. Reiterates DSL's support of HB 2626.
076	Rep Kafoury	Asks what happened to HB 3322 in the 1997 session.
080	Lilly	Answers it was passed in the House and referred to Ways and Means.
081	Rep. Kafoury	Asks if Ways and Means had a cost of placed on HB 3322.
084	Lilly	Answers yes. Notes the cost was \$250,000 dollars.
091	Rep. Kafoury	Asks if there is a fisheries biologist on staff with the Oregon Water Research Institute.
095	Lilly	Introduces Ken Williamson as the one to answer Rep. Kafoury's question.
107	Ken Williamson	Oregon Water Research Institute. Answers yes, there are fisheries biologist on staff.
107	Rep. Kafoury	Asks if there have been any studies done on dredging on the Willamette.
109	Lilly	Answers yes some.
118	Rep. Devlin	Asks if DSL has taken a position on HB 2627.

126	Lilly	Answers no.
135	Chair Welsh	Comments on the importance of local stream enhancement projects. States fisheries need to be included when the dredging study is done.
154	Williamson	Agrees with Chair Welsh's statement.
165	Patty Snow	Oregon Department of Fish and Wildlife (ODFW). (EXHIBIT C) Testifies in opposition to HB 2627. Expresses ODFW concerns with HB 2626 and HB 2627. Address the spawning pattern of a couple of various types of fish.
215	Snow	Continues testimony in opposition of HB 2626 and HB 2627.
227	Chair Welsh	Clarification
230	Snow	ODFW doesn't what of see
240	Chair Welsh	Comments on the current natural occurrences.
256	Snow	States that is exactly the sort of habitat fish want.
276	Chair Welsh	Notes it may not be a negative impact.
285	Snow	
295	Louri Aunan	Legislative coordinator. Testifies for the information of the committee reasons. Provides background information on the Willamette river.
327	Pete Tess	Oregon Farm bureau confederation. Testifies in support of HB 2626 and HB 2627. Feels narrowing and deepening the channel will help farming.
375	Rep. Gianella	Asks if it is true there are changes in the farm land
386	Tess	Answers yes.
TAPE 49, B		
001	Rep Kafoury	Clarifies that the fisheries biologists have not changed their view on dredging from last session.
005	Tess	States that the fishery biologist that testified last session did not seem as set

		against the study of dredging.
006	Captain Richard Chessbarue	Captain of the Willamette Queen. Testifies in support of HB 2626 and HB 2627. Discusses his experiences on the Willamette River.
054	Chessbarue	Continues testimony in support of HB 2626 and HB 2627.
077	Rep. Taylor	Asks at what time during the year does navigation become difficult.
082	Chessbarue	Answers the summertime is a short trip.
095	Chair Welsh	Closes hearing on 2626 and 2627. Opens hearing on 2801
104	Administrator	Reads and explains HB 2801.
109	Rep. Atkinson	Testifies in support of HB 2801. Gives reasons for HB 2801. Gives examples of trespassing problems.
157	Atkinson	Continues testimony in support of HB 2801. Reiterates the intent of HB 2801
173	Glen Stonebrick	Testifies in support of HB
184	Emily Cedar Leaf	Multi Family Housing Council. Testifies in support of HB 2801. Expresses particular support for the motor vehicles.
224	Rep. Merkley	Asks if
226	Cedar Leaf	Answers under this proposal
240	Rep. Merkley	Asks
244	Cedar Leaf	Answers only when a city adopted
249	Rep. Gianella	Asks if the trespassing
250	Cedar Leaf	
260	Rep. Gianella	Comments it would be interestion if HB would apply to parisuiet

273	Cedar Leaf	Comments
281	Rep. Taylor	Comments on her concern of the right of tenants to have visitors.
293	Cedar Leaf	Cites the law of tenants as it stands
324	Terry Lambers	Oregon Small Woodland Association. Testifies in support of HB 2801. States it is a safety issue
355	Chair Welsh	Closes Public Hearing on HB and adjourns meeting at 2:55.

Submitted By, Danielle Hamilton Reviewed By,

Danielle Hamilton, Kristina McNitt,
Administrative Support Administrator

EXHIBIT SUMMARY

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