

JOINT COMMITTEE ON STREAM RESTORATION
AND SPECIES RECOVERY

March 4, 1999 Hearing Room 50

7:00 AM Tapes 40 - 41

MEMBERS PRESENT: Sen. Ted Ferrioli, Co-Chair

Rep. Ken Messerle, Co-Chair

Rep. Bob Jenson, Vice-Chair

Sen. Joan Dukes

Sen. David Nelson

Sen. Veral Tarno

Rep. Al King

Rep. Jeff Kruse

Rep. Randy Leonard

Rep. Lynn Lundquist

Rep. Susan Morgan

Rep. Bruce Starr

Rep. Terry Thompson

MEMBER EXCUSED: Sen. Ginny Burdick, Vice-Chair

STAFF PRESENT: Judith Callens, Administrator

Stephen Kosiewicz, Administrative Support

MEASURE/ISSUES HEARD: SB 132 Public Hearing

HB 2411 Public Hearing

Introduction of Committee Bills

TAPE/#	Speaker	Comments
TAPE 40, A		
004	Chair Messerle	Calls the committee to order at 7:13 a.m. Opens the public hearing on SB 132.
<u>SB 132 n PUBLIC HEARING</u>		
009	Judith Callens	Committee Administrator. Explains the provisions of SB 132.
029	Pete Test	Associate Director of Government Affairs, Oregon Farm Bureau, and representing the Healthy Streams Partnership. Testifies in support of SB 132.
065	Chair Messerle	Asks when the full HSP will be able to give the committee their position on SB 132.
067	Test	Responds that he hopes to have members polled by early next week.
072	Chair Messerle	Asks when the HSP's next meeting is.
073	Test	Responds that it is the last Friday in March.
077	John Ledger	Associated Oregon Industries, and representing the Healthy Streams Partnership. Submits written material (EXHIBIT A) and testifies on the HSP's proposed amendments to SB 132.
129	Chair Messerle	Asks if the HSP had in mind a limit on reappointment.
132	Ledger	Responds that this is not in SB 132.
139	Rep. Lundquist	Notes that there could be ongoing membership of an organization, but different member representation. States that the committee should consider this issue.
144	Rep. Kruse	Asks what the intent was behind using the term "regional watershed groups" in the proposed amendments.
155	Test	Responds that they are trying to open membership up to any group at the base level that might not be called a watershed council, but is working on coordinated resource management planning.
169	Rep. Kruse	States his preference to leave the amendment as it is worded.

177	Rep. King	Asks if the HSP discussed the issues of turnover in watersheds being represented and concentration of members from one particular area.
187	Ledger	Responds that these issues were discussed.
198	Rep. King	Asks if the HSP discussed the length of term of a watershed council so that one was not represented for a long time.
202	Ledger	Responds that this issue was discussed, but they did not make this a mandatory issue.
209	Rep. Starr	Expresses concern about the language regarding 10 members who represent different beneficial uses of water. Asks what the intent was behind this language.
217	Ledger	Notes that the HSP struggled with this language. Responds that the intent was to make it broad, but that the water users would be agricultural, industrial, and recreational.
227	Rep. Starr	Notes his concern with this particular amendment.
234	Test	States that they can work on narrowing this down.
242	Rep. Leonard	Asks what the current appointment process is for the HSP and what concerns were there about the current membership that led to the introduction of SB 132.
248	Sen. Ferrioli	Responds that the committee wanted to be sure that watershed councils and soil and water conservation districts had a clear voice on the HSP.
280	Rep. Leonard	Asks what the process was for appointing members to the HSP.
283	Callens	Explains how the membership was appointed by the Senate President, the Speaker of the House, and the Governor.
288	Rep. Lundquist	Comments on the HSP appointment process.
306	Sen. Ferrioli	Notes that if \$30 million is being invested in watershed councils, the committee should be informed on what is going on.
318	Rep. Morgan	Asks where the list of candidates comes from that the Senate President, the Speaker of the House, and the Governor use to appoint members.
322	Chair Messerle	Responds that whoever had an interest could become a candidate and groups supported certain candidates.

325	Rep. Lundquist	Responds that candidates came from organizations that wanted to be involved in the HSP. Notes that the agricultural and environmental communities put forth some names.
330	Sen. Ferrioli	Notes that tribal organizations are going to face the same problem watershed councils and soil and water conservation districts did of selecting representatives to put forward as candidates for the HSP.
350	Rep. Leonard	Asks what the reason was that enough of the interests were not on the HSP that led to the introduction of SB 132.
367	Sen. Ferrioli	Responds that when the HSP was first created, a large portion of the membership consisted of agriculture and natural resource producers, and cattle ranchers. Notes that SB 132 is a broadening of the HSP's focus.
TAPE 41, A		
009	Test	Notes that a poll was taken by the HSP and five of the members are also on watershed councils.
014	Rep. King	Expresses concern about having a concentration in membership on the HSP.
026	Ledger	Comments that the ratio of agricultural and industry people to the whole group would go down under the membership structure proposed in SB 132.
042	Test	Notes that the HSP is advisory and is not into making decisions about policy.
052	Chair Messerle	Clarifies that the HSP's responsibility is to bring problems to the attention of the committee.
054	Rep. Starr	Asks how often the HSP meets and whether there is a problem with getting a quorum.
059	Ledger	Responds that the HSP currently meets once a month and they have never had a problem getting a quorum.
064	Rep. Leonard	Asks why the HSP did not try to work with the same number of members that existed.
070	Ledger	Responds that the HSP wanted to make sure they encompassed all areas of the state and got a lot of different viewpoints.
083	Lucie LaBonte	Chair, South Coast Coordinating Watershed Council. Gives background information on the South Coast Coordinating Watershed Council.

115	LaBonte	Expresses concern about the language in the proposed amendment regarding regional watershed groups. Suggests change to this wording.
145	Chair Messerle	Notes that the committee may need to have more discussion on the issue of term limiting members of the HSP.
157	Sen. Dukes	Notes that some of the groups with membership on the HSP may not change the individual that represents them in.
169	Rep. Morgan	States she would be interested in leaving as much latitude as possible in the HSP's structure.
183	Rep. Kruse	Expresses support for the flexibility in the membership.
193	Rep. King	Expresses support for having a term limit at the outset.
205	Chair Messerle	Suggests that members talk about the term limit issue further on their own time, and if the committee wants to amend SB 132, they can do that. Closes the public hearing on SB 132 and opens the public hearing on HB 2411.
<u>HB 2411 - PUBLIC HEARING</u>		
218	Jeannette Holman	Legislative Counsel Office. Explains the provisions of HB 2411.
265	LaBonte	Testifies in support of HB 2411.
320	LaBonte	Continues testimony on HB 2411.
329	Chair Messerle	Notes that the committee has not gotten into the discussion about giving money to the IMST to hire graduate students to assist them.
344	Jenifer Robison	Special Assistant to the Director, Division of State Lands. Submits written testimony of Paul Cleary, Director, Division of State Lands (EXHIBIT B) and testifies on DSL's concerns with Section 3 of HB 2411.
TAPE 40, B		
007	Robison	Continues testimony on DSL's concerns with Section 3 of the bill.
019	Chair Ferrioli	Asks what would be wrong with having the Friends of the South Slough or the Coos Watershed Association be the lead applicant for a GWEB grant instead of DSL.

039	Robison	Responds that estuaries are kind of lost in the watershed council process.
053	Chair Ferrioli	States that where there is a partnership with the community, the estuaries cannot be considered orphaned.
064	Sen. Dukes	Asks if it is possible to use Common School Fund monies on the South Slough Estuary.
066	Robison	Responds that it is.
074	Sen. Dukes	Comments on the Tillamook Watershed [comments inaudible at times].
083	Chair Ferrioli	Notes that any citizen can apply for a GWEB grant. Comments on the intent of the SB 132.
092	David Morman	Policy Unit Manager, Forest Practices Program, Department of Forestry. Comments on ODF's use of GWEB grants. Testifies in support of HB 2411, but suggests clarifying section 3 of the bill.
133	Sen. Dukes	Asks if ODF has determined that state forestry receipts cannot be used to fund restoration activities.
135	Morman	Notes that their operating budget is derived from timber sale revenues, so something else would need to be offset to fund these activities. Notes that GWEB has been looked at as a way to supplement this.
141	Sen. Dukes	States that state agencies need to rearrange priorities just like watershed councils, county commissions, soil and water conservation districts, and local communities have to do the work that needs to be done.
156	Chair Ferrioli	Notes that the Emergency Board is another source of funds for agencies.
167	Rep. Kruse	Questions ODF's need for additional resources for restoration activities.
180	Morman	States that they were pursuing more of an acceleration of restoration projects.
188	Chair Ferrioli	States that the discussion should focus on applications from communities instead of state agency budgets.
203	Chair Ferrioli	Closes the public hearing on HB 2411. Opens the work session for the purpose of introducing committee bills.
<u>INTRODUCTION OF COMMITTEE BILLS</u>		

216	Chair Ferrioli	Reads the LC numbers the committee is considering for introduction.
222	Sen. Tarno	MOTION: Moves LC's: 1995, 1996, 2054, 2848-1, 2884, 2952, 3027, and 3834 BE INTRODUCED as committee bills.
224	Sen. Dukes	Asks staff to get the members bill numbers once the drafts are dropped.
229	Rep. Thompson	Asks for clarification on what LC 2054 does.
233	Chair Ferrioli	Responds that this is a placeholder bill to deal with the issue of navigability.
242	Rep. Thompson	Expresses concern that the committee would be dealing with the issue of navigability.
248	Chair Ferrioli	Notes that this bill would probably not be referred to this committee.
253	Rep. King	Asks if it would be possible to review the drafts and introduce them at the next committee meeting.
259	Chair Ferrioli	Notes that if the bills are not introduced today, they will not get introduced at all.
		VOTE: 9-0 EXCUSED: 5 - Sen. Burdick, Sen. Nelson, Rep. Jenson, Rep. Lundquist, Rep. Thompson
263	Chair Ferrioli	Hearing no objection, declares the motion CARRIED.
266	Chair Ferrioli	Closes the work session and reopens the public hearing on HB 2411.
<u>HB 2411 ñ PUBLIC HEARING (CONTINUED)</u>		
272	Jim Myron	Oregon Trout. Submits written testimony (EXHIBIT C) and testifies on Oregon Trout's concerns with HB 2411.
293	Chair Ferrioli	Notes that the IMST has asked for help with their workload.
317	Myron	States that Oregon Trout would like the committee to explore the possibility of adding additional members to the IMST and spreading the workload out among additional scientists.

322	Chair Ferrioli	Notes that there is nothing that prohibits the IMST from "farming" some of the research out as project managers and bringing it back to the committee for review.
Written testimony on HB 2411 submitted by Ken Bierly, Program Manager, Governor's Watershed Enhancement Board (EXHIBIT D) .		
339	Chair Ferrioli	Closes the public hearing on HB 2411. Announces that the committee will not be meeting tomorrow and that the committee will meet Saturday in Astoria.
350	Callens	Notes that Saturday's meeting will be held at the Columbia River Maritime Museum from 9:00 to noon.
362	Chair Ferrioli	Adjourns the committee at 8:32 a.m.

Submitted By, Reviewed By,

Stephen Kosiewicz, Judith Callens,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 132, written material, John Ledger, 1 p

B ñ HB 2411, written testimony of Paul Cleary, Jenifer Robison, 5 pp.

C ñ HB 2411, written testimony, Jim Myron, 1 p

D ñ HB 2411, written testimony, Ken Bierly, 3 pp.