

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

January 27, 1999 Hearing Room 50

4:30 P.M. Tapes 20 - 21

MEMBERS PRESENT: Sen. Gary George, Chair

Sen. Thomas Wilde, Vice-Chair

Sen. Tony Corcoran

Sen. Joan Dukes

Sen. Ted Ferrioli

Sen. Bill Fisher

Sen. John Lim

MEMBER EXCUSED:

STAFF PRESENT: Brad Harper, Administrator

Kristal Hatton-Nease, Administrative Support

ISSUES HEARD: Environmental Stewardship

- Mack Birkmaier, Oregon Cattlemen's Association
- Dan Warnock, Oregon Cattlemen's Association

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 20, A		
<i>[recording equipment cut out frequently]</i>		
006	Chair George	Calls meeting to order at 4:45 p.m.

ENVIRONMENTAL STEWARDSHIP

015	Dan Warnock	Oregon Cattlemen's Association. Shows video. Comments his family is a multi-generational farming family.
055	Warnock	Discusses his family's grass/forage farming business.
099	Warnock	Continues testimony on farming management.
153	Chair George	Comments on federal grazing rights. Asks if federal agencies are providing better habitat and restoration like Oregon farmers.
160	Warnock	Responds no. Comments in order to restore streams and habitats, people need to work together, both agencies and families.
204	Chair George	Comments there was a major transition in land management known as radical environmentalism. Says some adjustments were made. Says Oregon now realizes the proper management helps everything. Asks if Oregon's environmental community is getting closer to those who view agriculture as stewardship.
218	Warnock	Replies he is not an expert on it. <i>[recording equipment cut out]</i> .
249	Sen. Wilde	Comments on urban views of cattle grazing. Discusses the concept of overgrazing.
274	Warnock	Says there are misnomers about overgrazing. Discusses long term management decisions in relation to overgrazing.
326	Sen. Wilde	Asks what is the impact of non-indigenous weed species on the cattle industry.
334	Warnock	Explains how farmers address non-indigenous weed species in their overall management plan.
364	Sen. Fisher	Comments on the deterioration of ground because of not being cultivated. Suggests it will take 20 years of cultivation to get the ground soil back. Says he agrees with no usage of land. Suggests the cattlemen design a depth gage so a cow could not eat anything eight inches from the ground.
TAPE 21, A		

038	Sen. Ferrioli	Says the real story is adaptive management. Adds ranchers are adaptable to the changing regulatory environment. Comments on grazing allotment.
094	Sen. Ferrioli	Continues discussing 401 certification. Says federal agencies manage by memorandum. Discusses the Camp Creek court case.
121	Warnock	<i>[Recording equipment cut out].</i>
148	Sen. Fisher	Says his family is lucky to have the extra land whereas some people will not be able to cope with such a loss.
150	Sen. Ferrioli	Comments on salmon and stream restoration objections.
183	Warnock	Gives a personal experience.
197	Mack Birkmaier	Cattle Rancher from Joseph, Oregon. Details several success stories in regards to his ranch. Discusses problems for ranchers in relation to land management.
244	Birkmaier	Discusses Elk Creek in eastern Oregon. Shows a picture of fences put up along the creek.
270	Birkmaier	Says he has talked with several agency people, but others have not responded to him. Comments there needs to be encouragement to participate in the program.
284	Chair George	Comments similar issues were discussed in Sen. Ferrioli's committee. Asks how much the fence in the picture cost.
287	Birkmaier	Says the BPA put in the fence and they would know.
290	Chair George	Asks if ranchers receive any help in filling out the 401-(d) forms.
292	Birkmaier	Says no.
295	Birkmaier	Comments on the Grand Ronde Model Watershed board. Says the watershed board is trying to encourage agency help.
315	Birkmaier	Comments on the listing of steelhead two years ago. Says farmers could not graze from April to July and they will need to do the same thing this year. Adds the Forest Service wants ranchers to put up half the money to fence the creeks. States farmers and ranchers need certain tools to help

		themselves.
397	Birkmaier	Discusses off stream watering.
TAPE 20, B		
005	Sen. Corcoran	Asks why he doesn't put a float in it.
007	Birkmaier	Replies a float would freeze.
009	Sen. Corcoran	Says then there would not be any water.
013	Birkmaier	Replies a float would work in the summer.
014	Sen. Corcoran	Comments he has a gravity feed water system at his home.
018	Sen. Ferrioli	Asks if ranchers need a discharge permit for the water return.
024	Birkmaier	Answers he needed water rights requirement if it into was taken into <i>[recording equipment cut out]</i> .
030	Sen. Ferrioli	Says he this is similar to ditch cleaning.
040	Chair George	Comments the real issue is what does the average ram pump pump in gallons per minute.
050	Birkmaier	Replies he is investigating that right now. Says he wanted to talk about digging ponds on the Forest Service land and the problems he has run into with NMFS. Says if it is in a swell the forest people are denying the opportunity on the condition that NIMS will not allow it. Discusses incidental take permits.
092	Birkmaier	Continues, saying the incentive is taken away to do good job. Comments the Forest Service gets money from the Grand Ronde Model Watershed. Says it is federal land so the money should come from the federal government. Adds counties have been impacted and have come to the watershed for money also. Comments state agencies should not be allowed to list streams on the list that receive more regulations from the federal government.
140	Sen. Fisher	Comments on the theory of research in relating to stream listings.

167	Birkmaier	Discusses the Green Forage Program being cut out of the Fish and Wildlife budget, the Oregon Forest Practices Act, and the occurrence of the weed explosion.
226	Sen. Ferrioli	Discusses the stream temperature issue. Says adding shade to a stream in the summer time will not get the stream to the desired 64 degrees when the ground and air around it is at least 100-degrees.
264	Sen. Fisher	Comments on the occurrence of the weeds.
282	Birkmaier	Discusses the eastside ecosystem business of the federal government. Says he is dismayed to see Governor Kitzhaber supporting it. Says the Governor was quoted as saying he liked the model watershed concept of working with stream issues.
306	Sen. Wilde	Comments he is infuriated by how DEQ deals with urban versus rural populations.
330	Birkmaier	Says he is looking to the legislature to protect him and other ranchers and to help them with these issues.
334	Chair George	Asks what is the best vehicle to distribute the Measure 66 money.
341	Birkmaier	Replies the Soil & Water Conservation Districts and the model watershed boards should administer the money.
373	Sen. Fisher	Comments there is a new movement to turn watershed councils into regulatory boards.
377	Birkmaier	Says he does not agree with that concept. Adds the watershed boards want to accomplish goals through volunteerism.
TAPE 21, B		
006	Warnock	Comments he and Birkmaier do not use the same management techniques. Adds no two ranches are the alike. Says it is impossible to apply the same management concepts to all ranches.
026	Chair George	Comments on the difference in cell phone regulations between Canada and the United States, according to his daughter. Comments the money should go to the people who know what they are doing.
044	Warnock	Agrees. Says agencies must to work together with people.

055	Chair George	Says \$425 million is being spent on the Bonneville Reach and Columbia River Basin. Comments on what could have been done to establish habitats and secure streams with that money.
059	Fisher	Asks where each of the witnesses' ranches are located.
064	Warnock	Answers his is in Baker County and in the winter he goes to Buckhollow, a tributary of the Deschutes River.
074	Birkmaier	Says his ranch is located on Joseph Creek in Wallowa County.
084	Chair George	Adjourns meeting at 6:05 p.m.

Submitted By, Reviewed By,

Kristal Hatton-Nease, Brad Harper,
Administrative Support Administrator

EXHIBIT SUMMARY

NO EXHIBITS SUBMITTED