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SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

March 10, 1999 Hearing Room 50

4:30 P.M. Tapes 66 - 67

MEMBERS PRESENT: Sen. Gary George, Chair

Sen. Thomas Wilde, Vice-Chair

Sen. Tony Corcoran

Sen. Joan Dukes

MEMBER EXCUSED: Sen. Ted Ferrioli

Sen. Bill Fisher

STAFF PRESENT: Brad Harper, Administrator

Kristal Hatton-Nease, Administrative Support

MEASURES HEARD: SB 12 Public Hearing

SB 186 Public Hearing and Work Session

SB 499 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 66, A		
005	Chair George	Convenes meeting at 4:41 p.m. Opens public hearing on SB 186.
<u>SB 186 PUBLIC HEARING</u>		

015	Brad Harper	Committee Administrator. Explains SB 186 clarifies qualification requirements for certain appointed member of board of directors of Oregon Forest Resources Institute.
020	Rep. Mark Simmons	House District 58. Testifies in support of SB 186. Says changes in SB 186 are appropriate and allow for further service in regards to the Oregon Forest Resources Institute (OFRI). Urges support of SB 186.
052	Ray Wilkeson	Oregon Forest Industries Council. Introduces Leslie Lehmann.
060	Leslie Lehmann	Director, OFRI. Submits [EXHIBIT A] and testifies in support of SB 186. Gives background on when and why OFRI was created. Says the institute is funded by a tax on forest product producers.
103	Brad Witt	Secretary-Treasurer, AFL-CIO. Says he worked in the wood products industry before working at AFL-CIO. Says OFRI has done a lot of work to increase awareness of the wood products industry in Oregon. Says his organization supported the creation of OFRI and supports passage of SB 186.
135	Chair George	Says in any business enterprise there is a team partnership between management and labor.
145	Witt	Replies Oregon AFL-CIO has worked on the "Oregon Partnership" to promote labor management cooperative projects throughout the state. Says Oregon AFL-CIO has been engaged in cooperative labor relation management in other industries. Says it is critical in today's economy that such cooperative adventures are launched. Adds he would be happy to discuss the cooperative project.
167	Chair George	Closes public hearing on SB 186. Opens public hearing on SB 499.
<u>SB 499 PUBLIC HEARING</u>		
180	Harper	Explains Sen. Fisher introduced SB 499 at the request of his constituent, Dorothy Brown. Says SB 499 exempts generators that power necessary medical equipment from state park and campground noise restrictions.
190	Jim Lockwood	Government Relations Manager, Oregon Parks and Recreation Department (OPRD). Submits [EXHIBIT B] and testifies OPRD agrees with policy stated with in SB 499, but says OPRD does not believe that its placement in statute is necessary. States Oregon parks have not had the problem addressed by SB 499.
225	Chair George	Speculates that the attitude of a private park owner would be the same as OPRD's. Says he knows from experience that if a campground user has a problem like this, the grounds manager usually goes out of his/her way to help the camper.
235	Lockwood	Comments OPRD's parks manager of field operations said the bill is just

		common sense.
240	Chair George	Asks if OPRD has a written policy which states what a park manager will do in such circumstances.
244	Lockwood	Says OPRD has training and rules that apply to a lot of the judgement circumstances, one of which is noise. Adds a park manager would offer to hookup an extension cord for a camper's generator.
249	Chair George	Closes public hearing on SB 499. Opens public hearing on SB 12.
<u>SB 12 PUBLIC HEARING</u>		
260	Dennis Olmstead	Oregon Department of Geology and Mineral Industries (DOGAMI). Gives technical background on landslide science. Explains differences in regards to landslides, which include size, velocity, and travel distance.
309	Keith Mills	Oregon Department of Forestry (ODF). Discusses landslide susceptibility. Says steep slopes, soil and rock characteristics, and unusual amounts of water can be related to earthquakes.
380	Olmstead	Addresses the timing of landslides. Discusses types of landslides, which include debris flow. Says landslide timing can vary. Comments the Dodson-type landslide will occur every several decades. Says people should be concerned about the frequency of such landslides.
430	Olmstead	Says eastern Oregon has a high hazard and risk area. Explains "hazard" is the degree to which a landslide occurrence is likely and "risk" is the likelihood that hazard will cause damage. Comments on the Kelso, Washington landslides. Discusses impacts of landslides.
TAPE 67, A		
030	Olmstead	Begins slide presentation on landslide areas around Oregon. Shows a picture of the Capes in Tillamook, Oregon. Says large areas of Newport have eroded into the ocean. Adds the Dalles has had major landslides as well. Discusses the Canyon Creek area slide in 1974 that killed seven people.
090	Olmstead	Shows a slide near Eugene and the 1996 Dodson Creek slide which crossed Interstate 84. Says the Dodson Creek debris flow was a classic landslide.
103	Mills	Discusses how roads can influence landslides and debris flow. Describes a landslide study site near Scottsburg. Comments on impact areas of landslides. Shows a picture of a slope that slid in 1996.

153	Mills	Discusses impacts to structures in the Scottsburg area landslide. Says the house in the picture was rebuilt in the same area. Shows a picture from the Alsea landslide and said two people nearly died. Explains severity of boulder slides.
203	Mills	Discusses ODF's Storm impact study sites and the relative landslide frequency. Says three out of four study sites had an increase in landslide occurrence nine years after tree harvesting. Says one site had fewer landslides in the first nine years following tree harvestation.
239	Mills	Shows pictures of Coos County maps and comments on slope steepness, geology, and channel confinement. Explains the four hazard ratings of the Coos county area. Says most towns in Coos county are in low or no hazard landslide areas.
290	Olmstead	Discusses landslides in other Oregon communities. Comments on SB 1211 (1997), which established the Joint Interim Task Force on Landslides and Public Safety. Says public information and the landslide warning system are used to help minimize losses from landslides.
340	Olmstead	Explains there are trickle down effects from property damage caused by landslides. Says there has been a lot of damage to roads because of landslides. Says DOGAMI mapping is not specific to a particular home site. Adds DOGAMI maps define areas, but are not regional in scope. Says analyses done now are better than those from 20 years ago and that some of the analyses from then may not work now.
389	Mills	Discusses the identification of landslide prone locations in Oregon. Says there are relatively few homes located in high hazard areas. States timber harvesting can create the likelihood of landslides in areas where the natural hazard of landslides is high.
439	Mills	Says one reason behind SB 12 is to reduce public exposure to landslides. Adds land management practices should not aggravate landslide occurrence. Comments risk is greater in homes than on roads, since people spend more time in homes at any location than in cars in the same locations. Explains there are several key elements in SB 12: ensuring homes are safely located, warning motorists, and having forestry, road construction, and site grading practices that keep landslide occurrence near background levels.
TAPE 66, B		
015	Mills	<p>Discusses agency responsibilities outlined in SB 12:</p> <ul style="list-style-type: none"> • Identifying and characterizing hazard areas (DOGAMI) • Using reasonable siting, grading, and specific dwelling location standards (Building Codes Division and Department of Land Conservation and Development (DLCD)) • Warning road users (Oregon Department of Transportation) • Regulating forest practices for andslides and public safety (ODF) • Quickly responding to landslide emergencies (Office of Emergency Management)

		Says the intent of SB 12 is to avoid unfunded mandates to local governments.
062	Sen. Wilde	Calls attention to page 2, line 3, which says the Land Conservation and Development Commission (LCDC) shall adopt rules requiring local governments to amend their comprehensive plans and land use regulations. Suggests that is not being too lenient on local governments.
067	Mills	Says there is not a representative from LCDC present. Adds he can not answer questions about that language.
071	Sen. Wilde	Comments some amendments to SB 12 are not small considering the terrain in some jurisdictions.
079	Sen. Dukes	Says she assumed that would be part of a periodic review of the land use plan. Says most county comprehensive plans have some building restrictions in them. Adds that since DOGAMI is already required to do the mapping and provide local governments where the hazards zones are, saying a person could not build a house there would not be huge step for local governments.
089	Sen. Wilde	Says a minor modification at time of periodic review would be a very important addition to SB12.
093	Chair George	Calls attention to page 2, line 4. Explains what the committee was trying to focus on the presnt, in regards to SB 12.
102	Sen. Wilde	Comments it would be helpful if the committee had definitions of terms like ěrapid debris flowí.
111	Mills	Says DOGAMI has drafted some proposed definitions to phrases SB 12. Submits [EXHIBIT C] .
120	Chair George	Comments on there being so many deaths from landslides occurring in other areas of the United States. Asks how many people have died from landslides in Oregon in the last ten years.
125	Mills	Replies nine people have died in Oregon in the past 20 years. States that most steep locations do not have many inhabitants and that in Oregon there are probably only 500 to 1000 homes located in high hazard landslide areas.
145	Sen. Corcoran	Comments there have been more deaths due to landslides than to cougars.
149	Chair George	Asks Sen. Wilde if he is satisfied with the definitions provided to the committee.
152	Sen. Wilde	Replies he is, for the most part.

154		Staff Submits [EXHIBIT D] on behalf of Peggy Collins and [EXHIBIT E] on the part of Dorothy Brown.
155	Chair George	Closes public hearing on SB 12. Opens work session on SB 186.
<u>SB 186 WORK SESSION</u>		
160	Sen. Dukes	MOTION: Moves SB 186 to the floor with a DO PASS recommendation.
165		VOTE: 4-0 EXCUSED: 2 - Fisher, Ferrioli
	Chair George	Hearing no objection, declares the motion CARRIED. SEN. CORCORAN will lead discussion on the floor.
170	Chair George	Explains the committee will meet in Hearing Room D on March 18, 1999. Adjourns meeting at 5:55 p.m.

Submitted By, Reviewed By,

Kristal Hatton-Nease, Brad Harper,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 186, written testimony and brochures, Leslie Lehmann, 38 pp.

B ñ SB 499, written testimony, Jim Lockwood, 1 p.

C ñ SB 12, written testimony, Keith Mills, 1 p.

D ñ SB 12, written testimony, Peggy Collins, 1 p.

E ñ SB 499, written testimony, Dorothy Brown, 1 p.