

HOUSE COMMITTEE ON TRANSPORTATION

March 7, 1997 Hearing Room D

8:30 AM Tapes 40 - 41

**MEMBERS PRESENT:**

Rep. Bob Montgomery, Chair

Rep. Mike Lehman, Vice-Chair

Rep. Tim Josi

Rep. Jane Lokan

Rep. Lonnie Roberts

Rep. Larry Wells

**MEMBER EXCUSED: Rep. Bill Markham**

**STAFF PRESENT:**

Janet Adkins, Policy Analyst

Debi Parker, Administrative Support

**MEASURE/ISSUES HEARD:**

**HB 2605 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 40, A</b>		
003	Chair Montgomery	Opens meeting at 8:35 am and opens public hearing on HB 2605.
<b><u>HB 2605</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
010	Senator Bill Fisher	District 23, relates example of his parents' business that has only been able to flourish because of the airport facilities in the Roseburg area. This business now employees over 200 persons, and this is only one example of how it would damage Oregon's economy due to lack of airport access

		for businesses.
057	Rep. Josi	Expresses that one of the problems with the bill as he understands it is that when a small airport began operation, the owner negotiated all of the conditions to achieve a goal. Now all of these goals are out of date and owners have no control over expansion. Additionally, this only pertains to private airports. Asks if he thinks the committee should try to address this.
082	Sen. Fisher	Believes this is overblown and only pertains to a small percentage of the airports. If they are not able to be financially viable, they will fail. Mentions that some aircraft work better off grass strips than hard surfaces. Law does allow some limited development.
111	Rep. Josi	The bottom line is, should we allow local airports to flourish at the expense of their neighbors?
124	Sen. Fisher	Says that he doesn't believe this is the case and to the contrary airports have suffered huge restrictions to benefit their neighbors.
142	George Trahern	Legislative Liaison, Oregon Civil Air Patrol, very concerned about this bill. Very restrictive. CAP volunteers for search and rescue for lost persons and downed aircraft. Feels this bill would cause loss of small airports and hurt the public at large.
176	Dale Blanton	Senior Policy Analyst, Department of Land Conservation & Development, presents ( <b>EXHIBIT A</b> ) testimony to the committee and summarizes the text.
269	Paul Norris	Manager, Planning Section, Oregon Department of Transportation, Development Branch. Mr. Norris presents written materials ( <b>EXHIBIT B</b> ).
325	Rep. Wells	Asks what restrictions are being put on agriculture under the current law.
334	Paul Norris	There is a relationship historically between them and it works well. Also, in agriculture, if you plant a crop that doesn't work, you plant another kind of crop.
355	Dale Blanton	States that there is no intent to move airports, there was a provision in early drafts that would affect agriculture. However, the current provision may enhance such businesses as crop dusting.
<b>TAPE 41, A</b>		
001	Ken Armstrong	Executive Director, Oregon Public Ports Association provides written testimony ( <b>EXHIBIT C</b> ) stating support of HB 2605. States that the bill and rules moved beyond the original intent in his opinion, and need to be amended.
050	Don Schellenberg	Farm Bureau, provides written testimony ( <b>EXHIBIT D</b> )
106	Jon Chandler	Director Government Affairs, Oregon Building Industry Assn. States that in the beginning they had no interest in the measure because it appeared to be about planes and people jumping out of them. When it was thoroughly read, they realized land use implications were within the

		contents. Notes that they support this measure and are willing and eager to participate in process to identify problems regarding the private airport issue.
149	Richard Angstrom	Government Affairs Director, Oregon Concrete and Aggregate Producers Assn. (OCAPA), states that in 30 years he has never seen a measure written as badly as SB 1113. States he would like to see this straightened out . Additionally, believes that HB 2605 would do this.
159	Jerral Harchenko	Industrial Aviation Services, Inc., presents ( <b>EXHIBIT E</b> ) and states his opposition to HB 2605.
260	William Walthour	Neilson Air Park. State that this bill would eliminate 61 airports. Private airports are not eligible for protection under same statutes as public use airports. Case in point in November 1985 a building license was issued to build a 3 story home at the end of their runway. He believes that repealing this statute would not serve any purpose, and would be counter productive.
285	Carol Lewis	League of Oregon Cities, OCPDA (Oregon Cities Planning Directors Association) - Linn County - Acknowledges participation in the work group to solve this issue and states that 17 people from industry and cities spent time and money to attend meetings on SB 1113. Says that SB 1113 rules were written after the public hearing with very little input from those who participated in the work group and do not resemble the proposals of the work group. There are several problems with this and perhaps taking a look at this will benefit all. Private airport users should have safety protection. Notes that they support HB 2605.
360	Rep. Wells	Asks if there is middle ground as far as she is concerned.
348	Carol Lewis	Agrees that there is. Believes that SB 1113 was written with bias, and if all of that is disregarded, a fair solution may come out of negotiations.
379	Chuck Sides	Management Group Oregon (MGO) presents amendment 1 to committee. Clarifies intent that SB 1113 was not to change land use planning. Relays to the committee that basically this puts zoning back to the way it was prior to SB 1113.
<b>TAPE 40, B</b>		
006	Chuck Sides	Asks for committee's support of this amendment, and states willingness to work with anyone the committee deems appropriate.
014	Tim Farley	Pilot, landowner at Neilson's Airstrip, Oregon City, presents ( <b>EXHIBIT F</b> ) Would like committee to get the private citizen's view, pointing out that this bill is defining the 20-1 glide slope ratio, that goes out 2,500 feet. A clear approach is critical and needs to be addressed immediately because to repeal this bill for our little world would jeopardize our safety. He emphasizes what they want is the protection and definition of the glide slope corridors into the private use airstrips. He urged the committee to ensure correct language to comply with FAA recommendations for a 20-1 glide slope ratio."
096	Art Schlack	Land Use Specialist, Association of Oregon Counties. Enters letters into record from Keith L. Cubic and from Hanley Jenkins. Written testimony

		presented ( <b>EXHIBIT G</b> )
119	Rep. Wells	States that he would like clarification of old land use laws.
124	Art Schlack	States that prior to SB 1113, local governments looked at the transportation goals (Goal 12) as part of their comprehensive plan. This does not historically include private use that is treated as a local matter, subject to conditional use permits. To qualify they need to meet two criteria:  * availability of services  * compatibility.  Notes that the '95 legislation turned that upside down., at least when it pertains to private airports. These must be designated in plan, and you must have provisions to protect them. The implication is that you must also put provision on land around the airport. This was not the way it was intended.
180	Rep. Wells	Says the problem in the new law shows no concern for the house built on an airstrip.
185	Art Schlack	Gives example over a cellular tower.
193	Chair Montgomery	Suggests a work group be developed, and asks Rep. Josi to lead the discussion group. Suggests that counties, cities, building industry, Farm Bureau, Rod Johnson, ODOT, airports, OCAPA , DLCD, Chuck Sides all be involved, but requests Rep. Josi to determine work group makeup.
206	Rep. Josi	Agrees.
237	Janet Adkins	Notes that the committee also has in front of them a letter for consideration from Terry Smith, owner of the Eugene airport ( <b>EXHIBIT H</b> )

Submitted By, Reviewed by,

Debi Parker, Janet Adkins,

Administrative Support Policy Analyst

Transcribed by,

Phyllis Shoemake

### **EXHIBIT SUMMARY**

**A - HB 2605, written materials, Dale Blanton, 2 pp**

**B - HB 2605, written materials, Paul Norris, 1 pp**

**C - HB 2605, written materials, Ken Armstrong, 2 pp**

**D - HB 2605, written materials, Don Schellenberg, 2 pp**

**E - HB 2605, written materials, Jerral Harchenko, 1 pp**

**F - HB 2605, written materials, Tim Farley, 1 pp**

**G - HB 2605, written materials, Art Schlack, 3 pp**

**H - HB 2605, letter from Terry Smith, staff, 1 pp**

**I - HB 2605, letter from Hanley Jenkins, staff, 2pp**