

HOUSE COMMITTEE ON WATER POLICY

February 6, 1997 Hearing Room D

3:00 P.M. Tapes 18- 20

**MEMBERS PRESENT: Rep. Ken Messerle, Chair**

Rep. Jo Ann Bowman

Rep. Tony Corcoran

Rep. Steve Harper

Rep. Jeff Kruse

Rep. Jim Welsh

**MEMBER EXCUSED: Rep. Tim Josi, Vice-Chair**

**VISITING MEMBER: Rep. Bob Jenson**

**STAFF PRESENT: Pat Zwick, Policy Analyst**

Rebecca M. Nickel, Administrative Support

**MEASURE/ISSUES HEARD: Watershed Council Presentations**

\* Grande Ronde Model Watershed Program

\* Coquille Watershed 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 18, A</b>		
003	Chair Messerle	Calls meeting to order at 3:09 p.m.
012	Chair Messerle	Comments on meeting with Governor Kitzhaber about the budget and the information flow. Excuses Rep. Josi.
<b><u>GRANDE RONDE MODEL WATERSHED PROGRAM - PROGRAM</u></b>		

<b>OVERVIEW</b>		
027	Pat Wortman	County Commissioner, Wallowa County, comments briefly on the presentation.
038	Patricia Perry	Executive Director, Grande Ronde Model Watershed Program, presents and reviews written testimony of slide presentation. <b>(EXHIBIT A)</b>
077	Perry	Slide presentation - Mission Statement
134	Perry	Slide presentation - Salmon Recovery Plan
184	Perry	Slide presentation - Project Examples
237	Perry	Slide presentation - Maintaining a Watershed Program
287	Perry	Slide presentation - Monitoring/Noxious Weed Programs
324	Perry	Slide presentation - Closing
339	Chair Messerle	Asks for discussion of future projects.
341	Perry	This year there are 52 projects on the slate: <ul style="list-style-type: none"> <li>* off-stream watering for livestock</li> <li>* riparian fencing</li> <li>* removal of effluent from small creeks</li> <li>* push up gravel irrigation diversion berms</li> </ul>
365	Chair Messerle	Asks if there has been an increase in public interest.
367	Perry	There is a great deal more interest. The Bonneville Power Administration, through the Power Planning Council has been very helpful with the program. They have provided funding over the last 4.5 years and are providing funding of \$1 million this year for projects on the ground. Will be able to leverage that and may be able to get \$3 million out of that \$1 million. Landowners are cost-sharing as well as doing maintenance and operation on every project. For projects on federal land, the Forest Service is also cost-sharing and providing in-kind services for overhead.
386	Chair Messerle	Asks for discussion on effects of 303 (d) Listing in the Grande Ronde basin.
395	Perry	Most of the streams in the area are listed. There have been meetings with Department of Agriculture (DOA) and Department of Environmental Quality (DEQ) to try and combine the TMDL (total maximum daily load) process and the water quality management plans called for under SB 1010 (1993 Session) with the process already in place. Those objectives can be incorporated within current plans to allow landowners to work under the basin-wide

		document to develop sub-basin plans.
<b>TAPE 19, A</b>		
019	Chair Messerle	Asks about the possibility of increased federal enforcement requirements.
022	Perry	Currently, plans are implemented on a voluntary and incentive based basis. The guidelines and objectives could be incorporated into existing plans, but not the regulatory actions. DEQ and DOA could take action, if required. However, if a plan is in place and landowners are working toward the plan it is hoped that that effort would be recognized by those agencies and taken into account.
030	Rep. Bowman	Comments on the difficult beginning of the Grande Ronde Watershed Program in 1992. It is important to understand that cooperative processes do not happen overnight.
036	Perry	The firm foundation was the base and structure of local county government. Having county commissioners involved helped open doors and provided a trust level with local agencies and landowners. There was a great deal of skepticism and meetings were challenging.
058	Rep. Bowman	Asks if funds were already available in 1992 to begin this process.
060	Perry	Under the 1980 Power Act, the Northwest Power Planning Council identified the Grande Ronde as a model and the Bonneville Power Administration provided the initial funding.
067	Rep. Bowman	Asks for discussion on the leveraging of additional resources.
069	Perry	Work with landowners (public and private), agencies and anyone who has a project. If there is a cash outlay which may be impossible for the landowner because the land is not productive, the association is willing to work with them.
085	Rep. Bowman	Asks about the determination process for projects.
088	Perry	There are biological criteria which are utilized and a resource specialist meets with staff to determine technical merit and adequacy of the project in relationship to the diagnosis and treatment document as well as assessment and planning documents. The proposed projects are prioritized and then sent to the Board of Directors for social and political impact analysis prior to recommendation and funding. Most of the funds are administered through the soil and water conservation district.
104	Rep. Welsh	Asks for the participation percentage of the watershed council projects.
117	Perry	Of the 140 projects currently in operation, about 50% are private landowner projects. The weekly meetings on the Katherine Creek project have been drawing approximately 30 people. There is active

		participation in all the projects.
133	Rep. Harper	Asks for additional discussion on the monitoring of projects.
135	Perry	Every project has its own monitoring component. For example, photo point comparison is used in a specific area to measure riparian growth. To monitor cumulative affects on a project such as Katherine Creek, there is joint monitoring on water quality. By taking a look at a smaller area, applying that strategy and then incorporating it into an adaptive management loop there can be monitoring on several different levels.
168	Rep. Kruse	Comments on his involvement with the Grande Ronde Watershed Program since the beginning. The process of getting the program off the ground has been very difficult. Voices concerns regarding the possibility of loss of trust from the local level if there are regulatory measures imposed. Asks what level of accountability the federal government will be expecting from the state in regards to endangered species and clean water. Also asks what the total funding is and how much of that is state funds.
205	Perry	In regards to regulation, the guidelines may be incorporated to help clarify objectives for landowners. Do not intend to be an enforcement entity. If they work with us within the guidelines, there will be no problems. If not, there will need to be intervention by state agencies to try and find a solution. In regards to funding, there are no numbers available from the Governor's Watershed Enhancement Board (GWEB) for this year's budget. There is \$1,112,000 coming from the Bonneville Power Administration this year. Last year Bonneville funded \$900,000, and GWEB funded about \$280,000. During the last biennium, the watershed association received about \$3 million.
257	Rep. Kruse	Asks if the necessary structures and experts are in place to do the monitoring necessary for current projects.
261	Perry	There is currently, because of the coordinating monitor who provides identification and assistance to determine the monitoring. Without this coordinator, there would not be this system.
280	Chair Messerle	Asks about funding details.
294	Perry	There are several partnerships: project dollars in private lands are directed to the soil and water conservation district; Natural Resources Conservation Service does the engineering therefore they take on the liability; project administration for private lands goes through soil and water conservation district; project administration on public lands goes through the Forest Service; dollars received for administrative funding go to the Pacific Northwest Research Lab; and funding for the executive director goes through Eastern Oregon State College.
	Rep.	

323	Corcoran	Ask for expansion on discussions with private landowner about the issue of compliance.
341	Wortman	In order to get the cooperation of the landowners, they asked for specific people to be involved who were looked upon by their peers with respect. There was a great deal of planning involved, and local government was used as a base to start with. It was important to build up trust with the landowners by providing information so people could make decisions.
<b>TAPE 18, B</b>		
015	Wortman	Has worked with tribal interests previously and there was already a good relationship started. If there are changes which must be made, they must be done through the incentive process.
024	Chair Messerle	Comments on the contributions of the Grande Ronde Model Watershed Program.
<b><u>COQUILLE WATERSHED ASSOCIATION - PROGRAM OVERVIEW</u></b>		
038	Paul Heikkila	President, Coquille Watershed Association, provides background and brief overview of the program.
049	Heikkila	Formation of the Coquille Watershed Association and other councils along the south coast.  * 1,159 sq. miles making it the largest coastal drainage  * very dynamic system (dry summer conditions, wet winter conditions)  * ownership is primarily federal, timber, industrial and agricultural
082	Heikkila	Development of watershed associations and the development of a plan to address the issues. The past needs to be examined to see how the conditions declined and what can be done differently in the future.  * navigation needs  * commercial fisheries  * timber resources  * splash dams  * changed the land to meet agricultural needs

		<p>* past actions of the Corps of Engineers</p> <p>The background needs to be understood in order to envision future accomplishments. In 1988, people in the Coquille region started to ask questions on how to address the long-term issues. It was the first stream listed in the coastal region because of TMDL problems. There were serious water quality problems as it has 40 miles of tidal reach coupled with low flow in the summer.</p>
132	Heikkila	<p>In 1993, the state authorized the organization of Watershed Associations and in 1994, the region formed the Coquille Watershed Association and the Coos Watershed Association.</p> <p>The organization is set up under an executive council consisting of 23 members representing:</p> <ul style="list-style-type: none"> <li>* federal government (the Powers Ranger District on the South Fork and the Coos Bay District of the Bureau of Land Management)</li> <li>* private timber (Georgia-Pacific)</li> <li>* county government</li> <li>* small landowners</li> <li>* public entities (cities, Coquille Tribe)</li> <li>* technical advisory committee</li> <li>* stakeholders</li> </ul> <p>Operate under key operating concepts such as decisions by consensus, respecting private property rights, providing public education, plain speaking. There is technical advise from Coos County Technical Advisory Committee.</p>
192	Heikkila	<p><u>Goals</u></p> <ul style="list-style-type: none"> <li>* increase anadromous fish production</li> <li>* improve water quality</li> <li>* ground-up, neighbor-to-neighbor involvement</li> </ul>
214	Heikkila	<p><u>Plan</u></p> <ul style="list-style-type: none"> <li>* addresses the conditions of the watershed</li> <li>* develops strategy for accomplishment</li> </ul>
		<p><u>Projects</u></p>

224	Heikkila	<ul style="list-style-type: none"> <li>* technically and scientifically sound</li> <li>* reviewed by the technical team</li> <li>* designed in support with specialists as needed</li> <li>* addressing a number of issues</li> </ul>
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- \* lack of large wood (affects flow)
- \* surveying of culverts and replacement if necessary
- \* bioengineering approaches
- \* National Marine Fisheries Service (NMFS) has been involved in most projects
- \* utilization of Shutter Creek Prison Crew and other labor groups

Projects, continued

- \* conversion of wetlands and mitigation sites

- 286 Heikkila
- \* tidebox design improvements
  - \* surveying and improving database
  - \* education for anyone who is interested or involved

Fencing of Riparian Zones

- \* Measure 38

\* fencing may be the only option for a 5-10 year period for improvement of riparian zones

- \* tried a variety of techniques with and without fencing

- 323 Heikkila
- \* fencing may be necessary for the short term
  - \* expensive and high maintenance

When fencing, the reason needs to be examined to determine if the problem could be dealt with in a different manner. For example, if the fence will be used to keep animals out, there are other approaches such as off-channel watering; to regrow the riparian zone, use of protectors or moving the animals could accomplish this. If these alternatives do not work, then fencing is considered.

Hire the Fisherman Program

- 350 Heikkila \* funds from the Department of Commerce dedicated to coastal communities impacted by the loss of the commercial fisheries
- 370 Heikkila \* has provided the majority of labor for the completion of projects  
Concludes with brief overview of landowners and others involved in projects around the region.

**TAPE  
19, B**

- 001 Dan  
Nichols Representing the Coquille Watershed Association and the Hire the Fisherman Program, provides background information. As a commercial fisherman for several years and an economic victim of the closing of the fisheries on the coast he joined the Hire the Fisherman Program.  
Off-stream watering is provided when fencing prohibits use of stream by cattle. If necessary, pumps are installed. Fence according to the type of livestock which needs to be contained. There was some distrust in the beginning until landowners realized that they were not a regulatory entity. Landowners are welcoming the fisherman, but remain distrustful of state and federal agencies.
- 046 Nichols Flooding has caused great damage to the fencing projects. The use of single strand barbed wire fencing makes repair relatively easy; two people were able to repair 1800 feet of damaged fence in three hours. The damage has been tremendous, but it can be fixed. They use willows and other measures on the banks to help control erosion.
- 065 Nichols School children have been involved in some of the projects and are very enthusiastic about helping. They have been planting trees for erosion control and are working on putting in a nursery.
- 084 Nichols Nurseries are being used to provide trees for erosion control. Currently there are two nurseries in operation. The landowners are very cooperative in maintaining the nurseries.
- 094 Nichols Inmate crews have been very useful in planting the large nurseries and providing labor on a variety of projects. The Forest Service primarily utilizes their services for fencing.
- 100 Nichols Fencing is not the only problem, many things have contributed to the decline of the salmon. The responsibility is shared by all.
- 107 Nichols The Jobs in the Woods crew also work through the watershed association. They have hauled logs to be used for in-stream structures, and they will be working with Fisher crews to build willow waddles, drive pilings, or anything to stop erosion. They are also working on conifer release (scotch broom eradication), culverts, bank sloping, and the creation of jump-pools through culverts.
- 137 Nichols There are 26 miles of fence signed up for by landowners, unfortunately there are only funds enough to complete 10 miles of fencing. There is a need to find more funding. If there are more regulations made on these programs, it may not continue to work as well as it has in the past.
- 145 Chair  
Messerle Asks how many miles of new spawning streams have been opened up through culverts.

There has been approximately 12 miles opened up on Roland Creek, which



- previously had no access. There have been 50 coho and a pair of steelheads sighted. There has been 120 miles of tributaries re-accessed with the replacement of about five or six culverts. What seemed like a simple thing, such as putting in a culvert 25
- 148 Heikkila those little streams for spawning and other life stages and the opening up of these little creeks is expanding the range rapidly and efficiently. The joint project with the Oregon Department of Transportation (ODOT) on King Creek (large tributary) will open up a watershed of 2,000 acres.
- 173 Chair  
Messerle Asks for further discussion on the contributions of private property owners and the loss of marketable timber and grazing land.
- 186 Heikkila The association does keep track of these numbers. Approximately 50% comes from various types of contribution. Coos County paid the association to survey tributaries on their forest lands. Fish were found in many streams that were previously thought barren. This affected the entire forestry management plan and the county lost about \$100,000 in timber sales. However, the county was willing to take this loss as it was part of their responsibility. This information does need to be in a format which is easily found. Are tracking all the contributions and the \$1.6 million dollars budget for next year, including the Hire the Fisherman Program. There has been difficulty in getting the Jobs in the Woods crews on the ground, therefore BLM has contracted to run those programs.
- 224 Chair  
Messerle Asks for the amount spent doing projects.
- 228 Heikkila About \$2 million, which doesn't include cooperative programs.
- 234 Chair  
Messerle Comments on the budget and the generation of funds. Comments on the contributions of the extension agencies in the watershed associations.
- 249 Heikkila The association tries to work with people through education, not enforcement.
- 254 Rep.  
Welsh Asks what he would advise a new watershed council just starting. Comments on the need for meticulous record keeping.
- 262 Heikkila Patience and persistence. It will take time for people to get interested and involved in these programs. The setting of long-term goals needs to be formal and yet informal. Need to set a goal then let people follow through with it. Gain the trust of leaders in the community and local agencies.
- 311 Chair  
Messerle Measurement of success cannot be made by counting fish, because of ocean conditions and other factors.
- 318 Heikkila Fish are nice to measure, but there needs to be a long term database when working with fish populations. The association measures fish populations based on access, but with this scenario you need to look at the past and then measure that against ocean survival and harvest rates. The Coquille is producing high counts of Coho, however it is unclear where the good count comes from, such as improvements made by the watershed association, ocean conditions, weather conditions, good genetic material or a myriad of other factors which must be taken into account. It will be unclear until there is evidence of long term stability.

- Rep.  
358 Bowman Asks for more information on the Hire the Fisherman program.
- 368 Nichols Qualification for involvement is that one had to be fishing during the good years and during the bad years. The 1980's were good years and 1993 and 1994 were disasters.
- Rep.  
374 Bowman Asks for clarification on how the program works.
- 377 Nichols They provide fencing for landowners. There has been excellent success with the program.
- TAPE  
20, A**
- Rep.  
004 Bowman Asks who hires the fishermen.
- 005 Nichols Program is through Coos County Soil and Water and Coquille Watershed Association. Supervised by the coordinator for the Coquille Watershed Association, the Coos County Soil and Water Conservation District administers the financial aspect.
- 010 Chair Clarifies the funding of the program. The funds come through the federal government, down through the Department of Agriculture, who in turn send the funds directly to the soil and water districts. The soil and water districts are actually responsible for the hiring and administration of the finances. The watershed association basically develops and monitors the projects.  
Messerle
- 020 Nichols Comments on the response to the program and at the rate at which it is growing.
- 029 Rep. Asks what the result would be if Coho get listed and how would that affect the level of cooperation.  
Harper
- 033 Heikkila It will make it difficult to work one-on-one with the landowners. There will be increased suspicion with the threat of federal enforcement. It will tie up agency people who have been assisting the program now. If the listing were to happen, the watershed associations will continue to run, but it will be more difficult. Coastal salmon are recoverable, that is obvious in the way they are returning to places they haven't been seen for some time
- 061 Chair Comments on discussion with Coos County commissioner. Comments that because of the situation in California, it will be difficult to avoid a listing of the Coho on the southern Oregon coast, even though that area has possibly the highest rate of recovery of salmon of any place in the state of Oregon.  
Messerle
- Chair  
080 Messerle Adjourns the meeting at 5:02 p.m.

Submitted By, Reviewed By,

Rebecca M. Nickel, Pat Zwick,

Administrative Support Policy Analyst

**EXHIBIT SUMMARY**

**A - Watershed Councils, Written Testimony, Patty Perry, 9 pp.**