

SENATE COMMITTEE ON WATER AND LAND USE

January 28, 1997 Hearing Room C

9:00 A.M. Tapes 10 - 11

MEMBERS PRESENT:

Sen. Veral Tarno, Chair

Sen. Bob Kintigh, Vice-Chair

Sen. Ginny Burdick

Sen. Ted Ferrioli

Sen. Bill Fisher

Sen. David Nelson

Sen. Thomas Wilde

MEMBER EXCUSED:

STAFF PRESENT:

Mark Volmert, Administrator

Nancy Masee, Administrative Support

MEASURE/ISSUES HEARD:

Oregon Trout

Oregon Farm Bureau Federation

Oregon State Grange

Ground Water

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 10, A		
005	Chair Tarno	Calls meeting to order at 9:03 a.m.

<u>Oregon Trout</u>		
010	Jim Myron	<p>Oregon Trout, presents the goals of his organization which is a native fish conservation group, not an angling association. (EXHIBIT A)</p> <ul style="list-style-type: none"> * Salmon Watch * Restoration projects - Deschutes & Klamath * Issues - fish screening programs
045	Myron	Continues presentation emphasizing the success of screening irrigation ditches.
048	Chair Tarno	Asks about 30 cubic feet per second (CFS) issues
050	Myron	Responds state law to require screening, Oregon Department of Fish and Wildlife (ODFW) not enforcing screening on rivers greater than 30 CFS.
070	Myron	<p>Continues presentation on issues:</p> <ul style="list-style-type: none"> * Fish Restoration and Enhancement Program sunsets 1997 * Livestock grazing practices * Clean Stream Initiative * Healthy Streams Partnership * Watershed Councils
089	Myron	<p>Continues 1997 priorities:</p> <ul style="list-style-type: none"> * Coastal salmon restoration project * Withdrawal of water-quality limited streams * ODFW study of introduced exotic fish species
124	Sen. Kintigh	Asks about what solutions they offer.
129	Myron	Responds that rotenone treatment is one suggestion, and encouraging angling for these introduced species which is now limited for walleye.
142	Chair Tarno	Asks about the Diamond Lake tui chub.
145	Myron	Responds originally used for bait, then propagated to a problem.
		Continues on issues supported by Oregon Trout

147	Myron	<ul style="list-style-type: none"> * Healthy Stream Partnership Project * Salmon recovery issue * Funding - how much, from where, long term * Coastal Salmon recovery initiative * Columbia River has many plans but none adopted or implemented
182	Myron	Continues that it is important that the state issue a coastal coho plan. It is an unprecedented opportunity for Oregon to exercise leadership and develop its own plan.
194	Sen. Fisher	Comments on the coho salmon meeting and the federal National Marine Fisheries Service (NMFS) NMFS assured that the state would be recognized as a leader in plans Not optimistic that NMFS will follow through
231	Sen. Fisher	Asks what Oregon Trout is doing to address the coho problem.
238	Myron	Responds that their staff is four, but they do as much as they can to encourage the state to upgrade the salmon recovery plan
254	Sen. Fisher	Asks what kind of studies have been done on seal and sea lion taking of salmon, and other ocean studies of the salmon situation.
294	Myron	Responds that their organization does not study predators of salmon; they invest their money in hatchery study, economic studies, and healthy streams. However, that is not to say the other studies are not important.
313	Sen. Fisher	Comments that there has been no study on the salmon predators.
320	Sen. Ferrioli	Asks about their support of Measure 38.
324	Sen. Ferrioli	Asks about limiting water on in-stream water rights as an appropriation. Asks about limiting withdrawal from water-quality limited streams.
347	Myron	Supported 38. Responds that angling and consumptive use should be considered.
354	Sen. Ferrioli	Asks about banning all withdrawal from water quality limited streams. Asks about reports that catch and release program has a 40 percent mortality rate.
361	Myron	Oregon Trout is not an angling association. Responds that it has not opposed ODFW and NMFS angling closures in some cases.
393	Sen. Fisher	Comments on the 303(d) streams and pollution
395	Myron	Responds that the less water there is, the more likely streams and rivers

		will have an increase in temperature.
TAPE 11, A		
018	Myron	ODFW budget process reviewed; Water Watch legislative proposals supported; oppose bills that detrimentally affect native fish.
128	Chair Tarno	Asks about data to show standards in temperature.
034	Myron	Responds that the standards were arrived at by technical sub-committee and range was found to be at the upper level of the optimum range for salmonids;
050	Chair Tarno	Asks where the sub-committee report could be found.
060	Myron	Responds that Department of Environmental Quality (DEQ)would have it.
067	Sen. Kintigh	Comments on exotic species and Oregon Trout's stand.
077	Myron	Responds on hatcheries to restore native stocks scientific reports suggest conservation use of hatcheries
095	Sen. Kintigh	Asks about native versus exotic. Does not understand Oregon Trout's position on wild versus hatchery.
098	Chair Tarno	Comments on Coquille program with hatch boxes used in spawn and release program. Asked how close that is to native fish.
105	Myron	Probably as close as you can get genetically. When the adults return and spawn their progeny would be considered native. Oregon Trout supports instances of using the hatch boxes. ODFW use of hatch boxes has not had a good return.
121	Sen. Nelson	Asks about management of the Healthy Streams Partnership. 64 degrees or best management effort?
127	Myron	Responds on plans to get streams off the list
<u>Oregon Farm Bureau Federation</u>		
143	Peter Test	Oregon Farm Bureau Federation, presents the organization's goals. (EXHIBIT B) Importance of water in agriculture
		Continues on legislation proposed: * LC to streamline permit process for federally stored contract water

184	Test	<ul style="list-style-type: none"> * Adjustment on protest fees for water right applications, return the exemption * Hydropower relicensing bill * Reclaimed water issue
228	Test	<p>Continues on Clean Stream Partnership proposal.</p> <ul style="list-style-type: none"> * change water quality standard process for temperature and other qualifiers. * develop temperature standards based on basins, yearly average, other methods
306	Test	<ul style="list-style-type: none"> * Continues presentation on the SB 1010 process: * Department of Agriculture to help with the SB 1010 process * Coastal Salmon Initiative supported * Important to avoid Federal intervention in the coho * Wetlands fill and removal process
<u>Oregon State Grange</u>		
387	Ed Luttrell	Oregon State Grange, gives presentation on Grange's water issues (EXHIBIT C)
<u>TAPE 10, B</u>		
012	Luttrell	<p>Continues on healthy stream management.</p> <ul style="list-style-type: none"> * appropriation doctrine to protect water rights * opposes filing water rights by the State
040	Luttrell	Supports broad support of solutions
042	Sen. Ferrioli	Asks if there has been any legislation proposed by the Grange on navigability and water rights, wants any drafts.
<u>Ground Water</u>		
047	Jerry Schmidt	Oregon Water Consultants for Oregon Water Utilities, Oregon Ground Water Association, Oregon Association of Realtors
079	Schmidt	Introduces ground water concepts and technology available (EXHIBIT D)
117	Schmidt	Continues presentation on ground water description and movement.
	Greg	Hydro-geologist, Art Krauser, Portland, explains ground water.

120	Kupillas	* water that occupies voids in a geologic stratum * aquifer - a formation yielding water
220	Kupillas	Continues description of ground water sources - supply, protection
243	Kupillas	Obtaining sufficient ground water without impacting surface water sources. * studies involved to find ground water in an area, quantity and quality * drill test wells
295	Kupillas	Continues presentation on finding ground water * tests from drilled water * generally good quality * iron, salt content * hardness of water * nitrate contamination
369	Kupillas	Ground Water Management * regionally managed * to preserve quantity for future use and quality of the aquifer
TAPE 11, B		
005	Kupillas	Continues presentation on ground water.
007	Chair Tarno	Asks about aquifer in Pendleton area.
014	Kupillas	Responds that the Salem area has an aquifer storage program
024	Kupillas	Continues on how to store water in an aquifer; Salem stores from the Santiam River and treats it.
030	Sen. Burdick	Asks about the recharge rate on aquifers.
034	Kupillas	Responds that it varies but the rates can be recharged at a higher rate.
049	Kupillas	Continues presentation on well interference, surface to well transfer. well head protection
090	Kupillas	Water level histories give valuable data to use to designate areas of ground water levels. cyclic weather patterns considered
		Continues presentation on protection of ground water by:

118	Kupillas	* industries * contamination treatment, extraction wells for oil, gas residual * natural attenuation, remove the saturated soil and the free product floating on the water table * other ways of treating ground water
165	Kupillas	Continues on surface - ground water connection; wells do not necessarily draw water from surface water locations.
200	Kupillas	Summarizes the hydro-geologic system in relations to data and scientific principles provided by consultants.
206	Sen. Fisher	Asks who monitors wells and the procedure.
209	Kupillas	Responds that property owners, or DEQ monitor wells on other people's property.
230	Schmidt	Responds that he does not know of law that allows a monitoring well drilled on private property other than by the owner.
248	Chair Tarno	Adjourns meeting at 10:46 a.m.

Submitted By, Reviewed By,

Nancy Masee, Mark Volmert,

Administrative Support Administrator

EXHIBIT SUMMARY

A - Testimony, Oregon Trout, Jim Myron, 3 pp.

B - Testimony, Oregon Farm Bureau, Peter Test, 18 pp.

C - Testimony, Oregon State Grange, Ed Luttrell, 2 pp.

D - Testimony, Ground Water, Jerry Schmidt, 13 pp.
