

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

HOUSE COMMITTEE ON
WATER POLICY

Hearing Room
Tapes - 17

MEMBERS PRESENT:

Rep. Chuck Norris, Chair
Rep. Tim Josi, Vice-Chair
Rep. Avel Gordly
Rep. Veral Tarno
Rep. Jim Welsh

STAFF PRESENT:

Pat Zwick, Committee Administrator
Gail E. Boesch, Committee Assistant

MEASURES HEARD:

HB 2376 - Public Hearing and Possible Work Session
HB 2422 - Public Hearing and Possible Work Session

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE , A

003 CHAIR NORRIS: Calls the meeting to order at 3:00 p.m.

Opens the Public Hearing on HB 2422

Witnesses: Rep. Ray Baum, chief sponsor of HB 2422.
Beth Patrino, Water Resource Department

010 REP. RAY BAUM: Introduces HB 2422, and explains intent of bill, to allow all ponds constructed before January 1, 1993, to have a water right permit.

040 - Notes irony of current ponds law, if pond doesn't qualify for exemption, have to get a permit; if it does qualify for exemption, doesn't get a water right.

056 CHAIR NORRIS: Requests further clarification. Discusses presumption of

no detrimental impact and questions who will "do the policing".

070 REP. GORDLY: Questions how the description of a reservoir that would store 9.2 acre/feet of water was determined.

080 REP. BAUM: Answers that the description was a result of work groups last Session.

110 BETH PATRINO, WATER RESOURCES DEPARTMENT: Notes confusion between HB 2422 and HB 2153. Same words, different interpretations.

123 CHAIR NORRIS: Questions possibility of widespread grandfathering simplifying the issue.

127 PATRINO: Responds that it might oversimplify in some cases.

154 REP. TARNO: Questions definition of diffuse water.

160 REP. LIZ VANLEEUEWEN: Speaks in support of HB 2422.

175 JILL ZARNOWITZ, OREGON DEPARTMENT OF FISH & WILDLIFE: Submits Exhibit A in opposition to HB 2422. Discusses interpretation of bill.

205 CHAIR NORRIS: Comments on whether "on channel" is exempt.

219 ZARNOWITZ: Speaks from Exhibit A. Explains situation where person is getting water right without being permitted. (Chickahominy creek).

273 - Offers further example of Foster Creek, and swimming hole dam.

310 - Offers examples of pond problems and main concerns, definition in HB 2376 expanded to include marginal ponds.

340 RICHARD KOSESAN, WATER FOR LIFE: Suggests need to find middle ground of general program (of Water for Life) and intent of HB 2422 .

400 - Discusses simplified approach to ponds legislation.

440 - Build in rebuttable presumption that existing ponds are not detrimentally impacting a resource; that they are acceptable.

TAPE 17, A

010 REP. JOSI: Comments about backlog; worried about "process nightmare".

030 KOSESAN: Answers that by establishing an exemption for existing ponds, will find very few ponds pose environmental impact.

060 CHAIR NORRIS: Suggests the five regions would be the logical ones to root out problem areas.

068 REP. TARNO: Questions the role of Water Masters in the local regions.

080 TOM PAUL, OREGON WATER RESOURCES DEPARTMENT : Notes that there are five regional managers, 17 Water Masters. Discusses Water Master's knowledge and limitations.

097 REP TARNO: Poses situation, asks who injured party would complain to.

100 PAUL: Local Water Master.

117 CHAIR NORRIS: Comments regarding the responsibilities of a Water Master.

Closes the Public Hearing on 2422

148 Noting that no one has signed up to testify, decides not to open Public
Hearing on HB 2376.

200 CHAIR NORRIS: Adjourns the meeting at 3:45 p.m.

Submitted by, Reviewed by,

Gail E. Boesch Pat Zwick
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - Statement on HB 2422 -- Oregon Department of Fish and Wildlife -- 2
pages

B - Overview and Comparison of HB 2376 and HB 2422 -- Pat Zwick, Committee
Administrator -- 3 pages.