

HOUSE COMMITTEE ON  
WATER POLICY

Hearing Room  
Tapes - 25

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 2470 - Work Session  
HB 2375 - Public Hearing & Work Session  
HB 2545 - Public Hearing

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 3:03 PM.

Opens the Public Hearing on HB 2545  
Witnesses: Martha Pagel, Water Resources Department

023 MARTHA PAGEL, WATER RESOURCES DEPARTMENT: Submits Exhibit A.  
- Defines Diack Flows.

071 REP. TARNO: Questions if "Diack" only applies to scenic waterways.

075 PAGEL: Yes.

078 CHAIR NORRIS: Suggests setting bill aside. Thinks bill is not really needed.

The committee members present concur. (REP. GORDLY is currently excused.)

100 CHAIR NORRIS: Closes the Public Hearing on HB 2545.

110 RUTH MCFARLAND, PRESIDING OFFICER, METRO COUNCIL: Reports on problems of water supply in Portland area, and coordination of watershed studies with federal government to counteract problems.

180 CHAIR NORRIS: Opens the Work Session on HB 2470.

192 BURTON WEAST, SPECIAL DISTRICTS ASSOCIATION: Reports on work group; issue was how to involve districts in development process. Gives overview, submits Exhibit B, which is the amendment draft resulting from work group's efforts.

250 REP. JOSI: There still is in here a trust mechanism that developer will follow through. Question about law.

263 KIP LOMBARD, OREGON WATER RESOURCES CONGRESS: The law does require that the developer exclude; reviews the process.

MOTION: REP. JOSI: Moves to ADOPT the -1 amendments to HB 2470.

CHAIR NORRIS: VOTE: Hearing no objections, the amendments are ADOPTED. All members are present.

MOTION: REP. JOSI: Moves that HB 2470, AS AMENDED be sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members are present and vote AYE.

CHAIR NORRIS: The motion CARRIES.

REP. JOSI will lead Floor discussion.

306 CHAIR NORRIS: Closes the Work Session on HB 2470

316 STAFF: Notes that HB 2470 has no fiscal impact, and that amendments should not change that fact.

325 CHAIR NORRIS: Opens the Public Hearing on HB 2375

Witnesses: Kent Madison

Jan Boettcher, Oregon Water Resources Congress

Doug Myers, WaterWatch

Richard Kosesan, Water For Life

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Todd Fleidgerken, Water For Life

Pete Test, Oregon Farm Bureau

Ves Garner, Oregon Farm Bureau

STAFF: Submits Exhibit C, the Hand-Engrossed HB 2375, for the record.

350 KENT MADISON: Describes his arrangement with an industry to reuse water

for irrigation purposes. Notes problems with HB 2375.

-Defines "agronomic".

425 MADISON: Notes that some industries use surface water source for their water, rather than ground water; and that HB 2375 does not address that situation.

TAPE 25, A

006 - Offers his suggestions to modify the amended version of HB 2375, Exhibit C.

030 - Uses biosolids to fertilize land; can't irrigate by law. Questions if wording is needed to cover this.

051 CHAIR NORRIS: States that he would rather not put that in this bill, want to keep bill's scope narrow to get it passed.

061 MADISON: Refers to Exhibit C. Discusses change of use from irrigation to

industrial, run through plant, reuse to irrigate.

- Regarding use of reuse water, can be used in 3 ways: all effluent water, no effluent water, or a combination of effluent and fresh; depends on nutrients available, and agronomic rate. Important to keep existing water right alive for fresh water needs.

095 REP. TARNO: Questions how Mr. Madison contracted for industrial reuse. Questions if other folks in his area have the same ability to contract for industrial water.

121 JAN BOETTCHER, OREGON WATER RESOURCES CONGRESS: Notes carefully crafted amendments; narrowed bill to groundwater.

130 CHAIR NORRIS: Questions why HB 2375 was narrowed to groundwater.

135 BOETTCHER: Water for Life ...couldn't agree.

Additional change, line 11E " on the same lands." Supports the bill as amended at this time.

160 DOUG MYERS, WATERWATCH: Not part of the work group, questions if industrial purposes could be defined as a copper mine. Requests time to run it by his people.

177 RICHARD KOESAN, WATER FOR LIFE: Concerned about potential injury.

200 CHAIR NORRIS: Suppose they used a groundwater source, and returned it to a stream.

208 TODD FLEIDGERKEN, WATER FOR LIFE: Would kick in when effluent discharged into a stream.

219 REP. JOSI: Requests further clarification. Poses question about use of surface water and potential damage to downstream users; having permit and using reclaimed water from a surface water source, potential to use more than 100% of right. Rephrases concerns about cleaning up used water.

285 PAGEL: Explains relationship of water right and reclaimed water

333 PETE TEST, OREGON FARM BUREAU FEDERATION: Supports HB 2470 and the Water for Life amendment. Recounts current situation in Dallas and Rickreall.

400 VES GARNER, OFBF: Discusses and supports Water for Life concept. Discusses rate and duty of primary right. Promotes conservation and use of reclaimed water.

TAPE 24,B

025 CHAIR NORRIS: Closes Public Hearing on HB 2375  
Opens Work Session on HB 2375

038 MOTION: REP. JOSI: Moves that amendments to HB 2375, with additional language "on the same lands added" at line 11E, BE ADOPTED.

CHAIR NORRIS: VOTE: Hearing no objections, the amendments are ADOPTED. All members are present.

MOTION: REP. JOSI: Moves that HB 2375, AS AMENDED be sent to the Floor with a DO PASS recommendation.

VOTE: All members are present and vote AYE.

CHAIR NORRIS: The motion CARRIES.

REP. GORDLY will lead the discussion on the Floor.

CHAIR NORRIS: Closes the Work Session on HB 2375

Adjourns the meeting at 4:05 Pm

Submitted by, Reviewed by,

Gail E. Boesch Pat Zwick  
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - Letter from Martha Pagel, Water Resources Department -- 1 page  
B - HB 2470, Proposed amendments -- Staff -- 3 pages  
C - HB 2375, Hand engrossed with Water For Life amendments -- Staff --3 pages