

HOUSE COMMITTEE ON
WATER POLICY

Hearing Room
Tapes - 62 A

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 3086 - Work Session
HB 2753 - Work Session
HB 2917 - 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.

NEED TO ADD IN EXHIBITS.

TAPE , A

003 CHAIR NORRIS: Calls the meeting to order at 2:02 PM.
Introduces the members of the Water Resources Commission in attendance.

019 Informational Session by Cliff Bentz, Chair, Water Resources Commission.

163 CHAIR NORRIS: Opens the Work Session on HB 3086

183 BETH PATRINO, WATER RESOURCES DEPARTMENT: Testifies that the departmentt is satisfied with the -3 amendments. Briefly explains the amendments. (Exhibit A)

229 CHAIR NORRIS: Clarifies the City of Pendleton's involvement in HB 3086 and the amendments.

240 BOB LEVY: Testifies about the process of working out compromise language; expresses reservations about the words "flow levels", suggests change to "availability".

Discusses "change in point of diversion", would like to add "additional point of diversion".

293 LIZ FLORIO: Suggests the word "elevation".

314 CHAIR NORRIS: Discusses the term "flow levels"; requests new terminology.

336 REP. JOSI: "Elevation" works.

341 CHAIR NORRIS: Suggests "in the surface level" ;

377 MOTION: REP. JOSI: Moves that the -3 amendments with a change in subsection 6, substituting "in the surface level" for "in the flow levels", BE ADOPTED.

CHAIR NORRIS: Hearing no objections, the amendments are ADOPTED.

TAPE 62 A

005 Further discussion regarding amending language suggested by Mr. Levy.

018 LEVY: Suggests amending language : "or add an additional point of diversion", line 14, page 2, after 'diversion'.

030 CHAIR NORRIS: Notes key elements.

MOTION: REP. JOSI: Moves that HB 3086, as amended, be further amended by the addition of "or add an additional point of diversion", line 14, page 2, after 'diversion'.

VOTE: Hearing no objections, the amendments are ADOPTED.

MOTION: REP. JOSI: Moves that HB 3086, 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.

050 CHAIR NORRIS: The motion CARRIES.

REP. NORRIS will lead the discussion on the Floor.

057 CHAIR NORRIS: Closes the Work Session on HB 3086
RECESSES the meeting for 5 minutes.

060 Opens the Work Session on HB 2753

065 STAFF: Reports that bill no longer fits within the relating clause of HB 2753, but does fit relating clause of HB 2376. Introduces -4 amendments, Exhibit D, and explains how to proceed with the bill.

075 REP. TARNO: Questions why relating clause does not fit.

080 STAFF: Explains that the relating clause says 'exemptions'; "with the work group we went with 'permits'".

080 CHAIR NORRIS: Provides comments; Closes Work Session on HB 2753
Opens the Work Session on HB 2917

090 General discussion follows.

103 REED MARBUT, WATER RESOURCES DEPARTMENT: The bill is a mere shadow of its former self.

120 - What you have before you is just two sections of the bill, section 2 and section 8. We have more amendments through Rep. VanLeeuwen, not included in the -4 amendments. Discusses what the work group agreed on, which is included in amendment (Exhibit B).

148 - We felt there should be a triggering mechanism to extending the irrigation season.

- On line 7, after 539.140, "on petition by the Oregon Department of Agriculture"

165 REP. JOSI: Clarifies that this is a permanent arrangement.

180 MARBUT: The second amendment, right after the work "adjudication", insert", by administrative rule".

- The last change, Section 1, line 9, strike "will not impair or be detrimental"; insert "can be affected without injury"; strike "any right"; insert "existing rights".

216 - Explains how this would work.

241 MARBUT: Really just wanted to get this into the Legislative record. Continues explaining the extension process.

If somebody applied for rights in early October, we would have to subtract that from water availability. "In addition, water which could be used, would be subtracted from water available for use during the remainder of the season."

278 DOUG MYERS, WATERWATCH: Concerned that WW was not included in work group. Wants to participate in process. Has concerns about amending language.

298 JIM MYRON, OREGON TROUT: Concern with Section 1, need something about public interest or water availability issue.

322 MARTHA PAGEL, WATER RESOURCES DEPARTMENT: Would appreciate more time.

336 VES GARNER: Testifies on the need for HB 2917; has amendments to offer.

355 REP. GORDLY AND REP JOSI are excused for caucus.

364 GARNER: Include that the district, as defined by ORS 540.505, be included as one of the entities in the decision making process. Strike the word "petition", insert "request".

397 - Feels all water rights should be extended. Elaborates.

TAPE 61, B

011 JAN BOETTCHER, OREGON WATER RESOURCES CONGRESS: Supports HB 2917 and amendments; explains support for the amending language suggested by Mr. Garner (Exhibit C).

Pete Test, OFBF, will lead the work group.

038 PHIL WARD, DEPARTMENT OF AGRICULTURE: We do not want a lengthy and drawn out application process.

048 MARTHA PAGEL, WRD: States that it is really important that there be a way to group these (applications), and not create another backlog.

077 CHAIR NORRIS: Closes the Work Session on HB 2917

086 ADJOURNS the meeting at 3:10 PM.

Submitted by, Reviewed by,

Gail E. Boesch Pat Zwick
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

- A - HB 3086, Proposed Amendments, -3 -- Staff -- 2 pages
- B - HB 2917, Proposed Amendments, -4 -- Staff -- 1 page
- C - Testimony on HB 2917 -- Jan Boettcher, Oregon Water Resources Congress
-- 3 pages
- D - HB 2753, Proposed Amendments -- Staff -- 5 pages