

SENATE COMMITTEE ON
WATER & LAND USE

Hearing Room
Tapes - 4

MEMBERS PRESENT:

Sen. Rod Johnson, Chair
Sen. Ron Cease
Sen. Bill Dwyer
Sen. Bob Kintigh

MEMBER EXCUSED:

Sen. Neil Bryant

STAFF PRESENT:

Karen Quigley, Committee Counsel
Kimberly Shadley, Committee Assistant

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 , SIDE A

Chair Johnson: Calls the hearing to order. (1:03 P.M.)
(Introduces committee staff.
(Announces Sen. Bryant is excused.

INFORMATIONAL HEARING - WATER

Witnesses: Martha Pagel, Director, Water Resources Department
Jan Boettcher, Director, Oregon Water Resources Department
Doug Meyers, Water Watch
Reed Benson, Staff Attorney, Water Watch
Pete Test, Oregon Farm Bureau
Todd Heidgerken, Water for Life
Richard Kosesan

046 MARTHA PAGEL, DIRECTOR, WATER RESOURCES DEPARTMENT: Submits informative material, (EXHIBIT A), the final version of their Strategic Water Resource Management Plan.

(The executive summary describes what you'll find in this document.

(There are five major strategies, goals and different levels of changes that could be made.

(There is a summary of the specifics of the major bill the Department has filed; the bill primarily focuses on ways to increase the flexibility of water uses as they are now.

(Issues this session will most likely include current water uses, in-stream water rights and alternative water sources and storage.

174 CHAIR JOHNSON: The watershed health effort will be continued under a different label; what direction do you think that will go?

PAGEL: The recommendation in the Governors budget is to combine the separate watershed health programs with the pre-existing Governors Watershed Enhancement Board, (GWEB); they are changing the staffing and the focus from state agencies to commission representation.

SEN. DWYER: How will water supply grants be handled?

PAGEL: The water supply development grants could be cost share projects that our department could enter into with a local government.

(The Governor's recommended budget contains a total of about \$3.9 million in lottery funds.

252 JAN BOETTCHER, EXECUTIVE DIRECTOR, OREGON WATER RESOURCES CONGRESS, (OWRC): Describes organization.

(We would like to see more flexible movement of water, but we do need a more workable water rights process and we have legislation in that regard.

(Submits a list of seventeen different legislative concepts, (EXHIBIT B).

(Describes list of proposed legislation.

345 DOUG MEYERS, WATER WATCH: Introduces Reed Benson.

(Submits written testimony, (EXHIBIT C).

REED BENSON, STAFF ATTORNEY, WATER WATCH: Gives history of Water Watch.

(We are going to evaluate proposals on the basis of three principals; that we advocate public participation in water resources decisions; that we promote accountability for agencies and users; that we support new means of providing in-stream flows.

478 BENSON: Water Watch is opposed to the bill the Water Resources Department is proposing.

TAPE 4, SIDE A

040 BENSON: Continues describing proposed legislation.

CHAIR JOHNSON: I'd like to see flows maintained also; how do you feel about storing more of this water that rushes out to the oceans this time every year so that we can have more at other times of the year?

BENSON: Problems we've seen in water sheds is that they aren't healthy or functioning properly; they are problematic from the environmental standpoint.

100 PETE TEST, OREGON FARM BUREAU: Submits and summarizes written testimony, (EXHIBIT D).

(We will support only water right transfers that in the long run keep the water for the land.

136 SEN. KINTIGH: Would you oppose allowing a land owner to use water on part of the land ownership that wasn't covered under the water right, or shifting around within the persons ownership?

TEST: No.

SEN. CEASE: If there were a drought and streams were low what relationship would it have with cattle or livestock?

TEST: For the most part this wouldn't be a lot of water; we support controlling the water, not just wide open use.

CHAIR JOHNSON: HB 2184 has a provision similar to this; the idea is to recognize that animals can drink out of a creek or stream, but people can't take the water out and put it in a trough.

190 TODD HEIDGERKEN, WATER FOR LIFE: Gives background on Water for Life.

(Issue number one is with fish screens; we've seen progress, but the law is set to sunset in 1995 and we want the program to continue.

(Our second issue is with ponds; there is still confusion and concern and the legislation has sunsetted; we'd like to address how to deal with existing ponds and operation of ponds in the future.

(A third issue is with in-stream water rights; we have concerns with some of the amounts requested; we feel it is important that clarifications be made.

(Fourth, there is concern over the backlog of water right applications, more specifically those that deal with ground water.

291 HEIDGERKEN: Fifth is the use of stored water; the frustration is that water users were told if they wanted access to stored water they need a permit and must purchase the water.

(The last issue is livestock watering and exempting that kind of use.

SEN. DWYER: How will you get cows out of the stream without building fences?

352 RICHARD KOSESAN: In terms of restricting livestock from a stream, (fencing), there is a cost involved; with an off-stream watering mechanism you consume no more water than if it were left in stream, and you get the animals outside the riparian area.

SEN. DWYER: What does it cost to build a trough or off-stream watering mechanism and get the water to it compared to fencing?

398 KOSESAN: We've not crossed that issue; that would be the responsibility of the owner.

(The Oregon State study indicated that without a fence or obstruction the livestock moved to the trough when it was available.

SEN. CEASE: I'd like to get a copy of the study.

CHAIR JOHNSON: Certainly; it would be appreciated if you could get us a copy.

(We are adjourned. (2:00 p.m.)

Submitted by, Reviewed by,

Kimberly Shadley
Committee Assistant

Karen Quigley
Committee Counsel

EXHIBIT SUMMARY:

- A - Strategic Water Resource Management Plan submitted by Pagel, pp 85
- B - List of proposed legislative concepts submitted by Beottcher, pp 8
- C - Written testimony submitted by Meyers, pp 8
- D - Written testimony submitted by Test, pp 1