

SENATE COMMITTEE ON
WATER AND LAND USE

Hearing Room
Tapes - 114

MEMBERS PRESENT:

Sen. Rod Johnson, Chair
Sen. Bob Kintigh, Vice-Chair
Sen. Neil Bryant
Sen. Ron Cease
Sen. Bill Dwyer

STAFF PRESENT:

Karen Quigley, Committee Counsel
Patricia Wehrli, Committee Assistant

MEASURES HEARD: SB 1114 WORK SESSION

SB 285 WORK SESSION
HB 2065 PUBLIC HEARING & POSSIBLE WORK SESSION
HB 2080 PUBLIC HEARING & POSSIBLE WORK SESSION
HB 2428 PUBLIC HEARING & POSSIBLE WORK SESSION
SCR 8 PUBLIC HEARING & 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 , SIDE A

CHAIR JOHNSON: Convenes the hearing at 1:06 p.m.
OPENS THE PUBLIC HEARING ON SCR 8

Witness:
Lenn Hannon, Oregon State Senator, District 26

020 LENN HANNON, OREGON STATE SENATOR, DISTRICT 26: Testifies in support
of SCR 8.

050 SEN. KINTIGH: Where is the dam located?

051 SEN. HANNON: Responds with the details.

053 SEN. BRYANT: Questions the cost of finishing the process.

054 SEN. HANNON: Responds.
(Responds to Chair Johnson's question on how the dam regulates the
temperature of the river.

078 SEN. DWYER: What is the status of this now?

081 SEN. HANNON: The case has been settled; Congress has not approved any
more funds to complete the dam.

087 CHAIR JOHNSON: OPENS THE WORK SESSION ON SCR 8

MOTION: SEN. KINTIGH moves SCR 8 to the floor with a DO PASS
recommendation.

VOTE: In a roll call vote the motion CARRIES: SENS. BRYANT, KINTIGH AND
JOHNSON vote AYE: SEN. DWYER votes NAY. SEN. CEASE is EXCUSED.

100 CHAIR JOHNSON: OPENS THE WORK SESSION ON SB 1114

120 CHAIR JOHNSON: Explains the history of SB 1114.

169 SEN. BRYANT: What if the land is not currently being farmed?

170 CHAIR JOHNSON: That will be taken care of. Expresses the main goals of identifying of the commercial resource land.

180 SEN. BRYANT: How will wheat land be defined?

176 CHAIR JOHNSON: Explains the lack of definition of wheat lands.
(Continues to explain the necessity for SB 1114.

202 SEN. BRYANT: Is there a distinction to the East side of the state?

206 CHAIR JOHNSON: There is a distinction. Continues to explain the difference between Eastern Oregon and Western Oregon.

(Describes SB 1114 and how it relates to a similar bill that Gov. Kitzhaber presented when he was a senator.

244 CHAIR JOHNSON: Once we have identified the crop lands there will be exemptions of the use under rare circumstances. Most of the uses though will be moved over on the list as secondary lands. The idea is to protect

the farm lands and forest lands by identifying them.

(Refers to regional problem solving; secondary Lands need to be identified before the regional problem solving begin.

309 SEN. CEASE: Discusses the right-to-farm bill.

313 CHAIR JOHNSON: Explains the language that has been referred to him by the Oregon Farm Bureau that he has received. It would strengthen the right-to-farm bill.

323 SEN. CEASE: Does it eliminate the pesticides?

328 CHAIR JOHNSON: Reads the language that he is addressing regarding the right to farm bill.

Chair Johnson is excused for the remainder of the hearing for obligations on the Committee of Ways and Means.

350 VICE CHAIR KINTIGH: OPENS THE WORK SESSION ON SB 285
Witnesses:
Roy Burns, Inter-Governmental Public Works Counsel, Lane County
Steve Carmichael, Director of Human Services of Lane County

362 SEN. DWYER: Explains what SB 285 does in regards to a juvenile center that the City of Eugene has proposed.

380 SEN. CEASE: Is it immediately adjacent to the urban growth boundaries?

381 SEN. DWYER: Yes.

TAPE 114 SIDE A

007 ROY BURNS, INTER-GOVERNMENTAL PUBLIC WORKS COUNSEL, LANE COUNTY: Shows a map and explains how it relates to SB 285.

026 SEN. DWYER: How was the land around the juvenile center has been zoned as Farm Land?

027 BURNS: There was a limited option between farm land and forest land.

033 VICE CHAIR KINTIGH: Why can't the county just change the zoning?

034 BURNS: Because of the potential uses available to the area.

VICE CHAIR KINTIGH: What acreage is involved with this?

055 STEVE CARMICHAEL, DIRECTOR OF HUMAN SERVICES, LANE COUNTY: A little over twenty acres.

056 SEN. CEASE: There is a statute that is applicable state wide, how do we handle that?

VICE CHAIR KINTIGH: We also have a problem having people coming here to the legislature to solve their local problems.

076 BURNS: One way we have limited this is through the provision of the statutory constructions for marginal lands counties.

077 SEN. CEASE: Explains his concerns with the interruption of the process with dealing with the local government versus the legislation.

BURNS: We are not asking the legislation to supersede the local government, we are asking for the opportunity to go through the process at the local level, and there will be a process at the local level.

085 STEVE CARMICHAEL, DIRECTOR OF HUMAN SERVICES, LANE COUNTIES: Testifies in support of SB 285

MOTION: SEN. DWYER moves the (-1) amendments.

VOTE: Hearing no objection, the motion CARRIES.

MOTION: SEN. DWYER moves SB 285 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote the motion CARRIES: All members present vote AYE. CHAIR JOHNSON is excused. CARRIER: DWYER

130 VICE CHAIR KINTIGH: OPENS THE WORK SESSION ON SB 286

Witness:
Roy Burns, Inter-Governmental Public Works Counsel, Lane County

132 SEN. DWYER: Explains the bill.

136 ROY BURNS, INTER-GOVERNMENTAL PUBLIC WORKS COUNSEL, LANE COUNTY: Testifies in support of SB 286

150 MOTION: SEN. DWYER moves to accept the proposed amendments to SB 286.

VOTE: Hearing no objection, the motion CARRIES..

MOTION: SEN. DWYER moves SB 286, AS AMENDED to the floor with a DO PASS recommendation.

VOTE: IN a roll call vote the motion CARRIES. All members present vote AYE. Sens. Johnson and Cease are EXCUSED.

190 VICE CHAIR KINTIGH: OPENS THE PUBLIC HEARING ON HB 2065

Witness:
Richard Angstrom, OCAPA

200 SEN. BRYANT: Reads and explains the bill.

217 RICHARD ANGSTROM: Explains and testifies in support of HB 2065.

MOTION: SEN. DWYER moves HB 2065 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote the motion CARRIES. All members present vote AYE. Sens. Johnson and Cease are EXCUSED.

VICE CHAIR KINTIGH: OPENS THE WORK SESSION ON HB 2080

MOTION: SEN. DWYER moves HB 2080 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote the motion CARRIES. All members present vote AYE. Chair Johnson is EXCUSED. CARRIER: KINTIGH.

354 VICE CHAIR KINTIGH: OPENS THE PUBLIC HEARING ON HB 2428

Witnesses:
Jennifer Robison
Richard Angstrom, OCAPA

361 JENNIFER ROBISON: Testifies in support of HB 2428.

VICE CHAIR KINTIGH: What is the difference between a lease and a license.

380 RICHARD ANGSTROM, OCAPA: Explains.
(Testifies in support of HB 2428.

004 VICE CHAIR KINTIGH: Questions the amendments that have passed through
the house.

ANGSTROM: They were all technical amendments.

020 VICE CHAIR KINTIGH: OPENS THE WORK SESSION ON HB 2428

MOTION: SEN. CEASE moves HB 2482 to the Floor with a DO PASS
recommendation.

VOTE: In a roll call vote the motion CARRIES. All members present vote
AYE. Chair Johnson is EXCUSED. CARRIER: SEN. DWYER

037 VICE CHAIR KINTIGH: OPENS PUBLIC HEARING ON HB 2431
Witnesses:
Kip Lombard, Oregon Water Resource Congress
Martha Pagel, Director, Water Resources Department
Tom Bold, Water Resources Department

041 KIP LOMBARD, OREGON WATER RESOURCE CONGRESS: Testifies in support of
HB 2431. (See Exhibit B)

142 SEN. CEASE: How many of the complaints and issues have come to the
Department in reference to the Department?

151 MARTHA PAGEL, DIRECTOR, WATER RESOURCE DEPARTMENT: The complaints that
have come up in this issues are primarily in the Umatilla area.

156 SEN. BRYANT: Was one of the problems in the Umatilla area, water
spreading?

PAGEL: Yes.

163 LOMBARD: In reference to page two of HB 2431, reads and gives
testimony. (Exhibit B)

236 SEN. BRYANT: Questions if time is needed for further amendments.

240 LOMBARD: Asks for time for further amendments.

PAGEL: Testifies in support of HB 2431 A.

296 VICE CHAIR KINTIGH: Asks for clarity of the proposed amendments.

297 LOMBARD: Going back in time some districts where these permits were
issued under examination, the uses were usually mentioned as two or three
issues.

360 TOM BOLD, WATER RESOURCE DEPARTMENT: Testifies about the direction of
the proposed amendments.

035 VICE CHAIR KINTIGH: CLOSSES THE WORK SESSION ON HB 2431.
--Adjourns the meeting at 2:30 P.M.

Submitted by

Reviewed by

Patricia Wehrli

Committee Assistant

Karen Quigley

Committee Counsel

EXHIBITS:

A- Testimony on HB 2428--Gary Gustafson, Director of State Lands--1 page
B- Testimony on HB 2431--Kip Lombard, Oregon Water Resource Congress--13
pages
C- Testimony on SB 1114--Walt Eager--7 pages
D- Testimony on HB 2065--Christine Cook, Staff Attorney for 1000 Friends of
Oregon--2 pages
E- Testimony on HB 2080--Christine Cook, Staff Attorney for 1000 Friends of
Oregon--1 page
F- Testimony on SB 613--Christine Cook, Staff Attorney for 1000 Friends of
Oregon--2 pages
G- Testimony on SB 1005--Lee Wedberg--2 pages

H- Testimony on SB 1005--Donald K. Denman, Attorney--2 pages
I- Testimony on SB 1114--Blair Batson, Staff Attorney for 1000 Friends of
Oregon--3 pages
J- Testimony on SB 1005--Daniel Boyd, Rogue Flyfishers--2 pages