

HOUSE COMMITTEE ON NATURAL RESOURCES SUBCOMMITTEE ON WATER

January 21, 1993 Hearing Room D 1:20 p.m. Tapes 1 - 3

MEMBERS PRESENT: Rep. Chuck Norris, Chair Rep. Ray Baum Rep. Carl Hosticka Rep. Tim Josi Rep. Bill Markham Rep. Nancy Peterson Rep. Bob Repine Rep. Liz VanLeeuwen

MEMBERS EXCUSED: Rep. Bob Repine

STAFF PRESENT: Kathryn Van Natta, Committee Administrator
Catherine Fitch, Committee Administrator Barbara Porter, Clerk

MEASURES CONSIDERED: HB 2192 - Public Hearing HB 2149 - Public Hearing

WITNESSES: Roger Hamilton, PUC Commissioner Mike Kane, PUC
Allen Brown, Sunridge Homeowners Steven Rinkle, Sunriver Owners Assn.
Fred Hansen, DEQ Mike Downs, DEQ Dave Leland, Health Division Fred
Lissner, Water Resources Dept. Roy Burns, Assn. of Oregon Counties
Charles Davis, Springfield Utility Board Dan Dority III Dan Dority, Jr.
John Clements

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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. [--- Unable To Translate Graphic ---]

TAPE 1, SIDE A

005 CHAIR NORRIS: Calls the meeting to order at 1:20 p.m.

Distributes copies of Governor's speech addressing water issues. 021
REP. HOSTICKA: Asks whether Rep. Baum is member of Water Subcommittee and how many votes are required for subcommittee action.

023 CHAIR NORRIS: Is willing to take a vote of four to move a measure out. Will clarify the issue.

Announces that REP. REPINE is excused.

Opens public hearing on HB 2192.

PUBLIC HEARING ON HB 2192

086 CATHERINE FITCH: Reviews provisions of HB 2192 and concerns expressed (EXHIBIT A).

109 ROGER HAMILTON, COMMISSIONER, PUBLIC UTILITY COMMISSION OF OREGON: Submits and reads testimony in support of HB 2192 (EXHIBIT B).

Responds to questions from members about what cost savings will mean.

178 MIKE KANE, PUC: Reviews information in fiscal analysis (EXHIBIT C).

220 HAMILTON: We prioritized programs we would have to cut to meet budget demands and decided this program would be cut.

230 Discussion of program funding and customers served.

287 ALLEN BROWN, SUNRIDGE HOMEOWNERS: Testifies in opposition to HB 219 2.

TAPE 2 SIDE A

BROWN: Continues his testimony.

030 STEVEN RINKLE, REPRESENTING SUNRIVER OWNERS ASSOCIATION: Submits and reads written testimony in opposition to HB 2192 (EXHIBIT D).

Responds to questions from members concerning conflicting information presented.

150 FITCH: Adds clarifying information.

155 RINKLE: Our testimony is based on information from PUC Annual Reports.

165 KANE: Figures quoted are not current. Gives additional information on companies which are, or could be regulated.

More discussion of provisions of HB 2192.

257 CHAIR NORRIS: Closes public hearing on HB 2192. Opens public hearing on HB 2149

PUBLIC HEARING ON HB 2149

250 FRED HANSEN, DIRECTOR, DEQ: Submits and reads testimony in support of HB 2149 (EXHIBIT E).

TAPE 1 SIDE B

005 HANSEN: Continues his testimony.

Submits testimony from the City of Milwaukie supporting HB 2149 (EXHIBIT F). Answers questions from members.

Submits summary of accomplishments of a Wellhead Protection Program for Oregon (EXHIBIT G).

093 MIKE DOWNS, ADMINISTRATOR, DEQ WATER QUALITY DIVISION: Reviews established methods of groundwater clean up.

138 DAVE LELAND, HEALTH DIVISION, DHR: Testifies in support of HB 214 9, paraphrasing written testimony (EXHIBIT H).

175 FRED LISSNER, WATER RESOURCES DEPARTMENT: Testifies in support of HB 2149.

230 ROY BURNS, ASSOCIATION OF OREGON COUNTIES: Testifies in support of HB 2149.

324 CHARLES DAVIS, SPRINGFIELD UTILITY BOARD: Testifies in support of HB 2149.

TAPE 2 SIDE B

035 DAVIS: Concludes his testimony.

040 DAN DORITY III and DAN DORITY, JR.: Testify in opposition to HB 214 9. Submit map of delineation (EXHIBIT I).

Feels state should go back to Goal 5 and protect the agricultural land as the state land use goals require and not allow municipal water supplies to be put on agricultural land. But if municipal water is taken on agricultural lands, municipalities taking the water now and in the future should take it as is, and clean it as necessary.

295 CHAIR NORRIS: Asks DEQ to explore the condemnation issue, ascertain the connection, and report to the committee on the authority this would add to a city's ability to condemn land outside of its city limits.

310 HANSEN: Will supply that information. This (bill) does not expand any existing authorities in regard to condemnation or where wells can be

put. 324 DORITY III: Disagrees.

318 REP. JOSI: Requests information about 1989 Groundwater Protection Act and how it relates to HB 2149.

320 JOHN CLEMENTS: Testifies in opposition to HB 2149.

401 JOHN JACKSON: Testifies in opposition to HB 2149.

TAPE 3 SIDE A

017 QUINCY SUGARMAN, OSPIRG: Submits and summarizes written testimony in support of HB 2149 (EXHIBIT J).

060 REP. JOSI: Asks Sugarman to comment on concerns heard from farming community.

062 SUGARMAN: Understands that condemnation is not an issue under the wellhead protection program.

Required approval of programs by the state agency would provide an opportunity to make sure the programs are appropriate for each area. Believes the system has enough checks and balances to make sure that programs fit needs and concerns while protecting property owners and

water supplies.

080 REP. JOSI: Wants to make sure that agricultural lands and practices are protected for the future of Oregon.

100 SMS and Fiscal Statement (EXHIBIT K), NCAP Comments (EXHIBIT L), City of Boardman Comments (EXHIBIT M), Avion Water Co. letter (EXHIBIT N), Stoel Rives Boley Jones & Grey Letter (EXHIBIT O), and Southhills Homeowners

Assn. Statement (EXHIBIT P) are submitted for the record.

112 CHAIR NORRIS: Closes public hearing on HB 2149.

Adjourns meeting at 3:20 p.m.

Transcribed by:

Reviewed by:

Pat Zwick
Administrator

Catherine Fitch Coordinator

EXHIBIT LOG:

A- HB 2192 - C. Fitch - 1 page B- HB 2192 - R. Hamilton Testimony - 4 pages C- HB 2192 - Fiscal Analysis - Staff - 1 page D- HB 2192 - S. Rinkle Testimony - 2 pages E- HB 2149 - F. Hansen Testimony - 13 pages F- HB 2149 - City of Milwaukie Testimony - 4 pages G- HB 2149 - Mike Downs Testimony - 6 pages H- HB 2149 - D. Leland Testimony - 2 pages I- HB 2149 - Dan Dority III Exhibit - 1 page J- HB 2149 - Q. Sugarman Testimony - 3 pages K- HB 2149 - SMS and Fiscal Analysis - Staff - 3 pages L- HB 2149 - NCAP Comments - Staff - 5 pages M- HB 2149 - City of Boardman Comments - Staff - 2 pages N- HB 2192 - Avion Water Company Letter - 7 pages O- HB 2192 - Stoel Rives Boley Jones & Grey Letter - 2 pages P- HB 2192 - Southhills Homeowners Assn. Statement - 1 page