

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

DATE: April 12, 1993 TAPES: 117-120 PLACE: Hearing Room C T11\IE:
8:00 AM

MEMBERS PRESENT: Senator Ron Cease, Chair Senator Jim Bunn, Vice-Chair
Senator Joyce Cohen Senator Bob Kintigh Senator Bob Shoemaker Senator
Gordon Smith Senator Shirley Gold

STAFF PRESENT: Peter Green, Administrator Chris Warner, Research
Associate Kus Soumie, Clerk MEASURES HEARD: SB 1007 PPW SB 1011 PUB
SB 996 PUB SB 977 PUB SB 643 PUB LC
INTRODUCTION: LC 3895

THESE MINUTES CONTAIN MATERIALS WHICH PARAPHRASE AND/OR SUMMARIZE
STATEMENTS MADE DURING THIS SESSION. ONLY TEXT ENCLOSED IN QUOTATION
MARKS REPORTS A SPEAKER'S EXACT WORDS. FOR COMPLETE CONTENTS OF THE
PROCEEDINGS, PLEASE REFER TO THE TAPES.

TAPE 117 SIDE A 005 CHAIR CEASE CALLS MEETING TO ORDER 8:00 AM PUBLIC
HEARING ON SB 1007

WITNESSES: Phil Keisling, Secretary of State Rep Cynthia Wooten.
House District 41 Dick Baldwin, Forest Trust Advisory Board, Springfield
Forest Products Janet McLennon, Board of Forestry Brian Greeher, Oregon
State University, College of Forestry faculty Wallace Rutledge,
Director, Department of Forestry Josh Bratt, Oregon Environmental
Council Liz Frenkel, Oregon Sierra Club Senate Agriculture and Natural
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Mark Jack Desmond, NRCA Julie Brandis, Oregon Small Woodlands
Association Clyde Ramsay, Oregon Small Woodlands Association

010 PHIL KEISLING, Secretary of State, offers testimony on SB 1007,
and presents overview of EXHIBIT A and B. - outlines Oregon
reforestation costs - tax incentives proposed tor reforestation -
lottery funding for displaced timber workers - Landowners limited by
funding. Long term investment - risk high on investments in forestry -
100 percent of the risk will be taken and - management plan will be part
of the agreement - stocking standards will be required 174 SEN
KINTIGH: Land owners need to think of alternate means of investment
return. 187 KEISLING: Timber production is the purpose of this
language, however there will be other benefits as well, which is why
much of the language is general contractually. A one size fits all
approach did not seem the way to go. The idea is to allow that
investment to happen now. - these are venture capitol investments -
there is a risk involved with only an 8 percent return - series of
questions from Sen Bunn to Keisling 237 KEISLING: This bill would
pertain to lands that are not under the current Forest Practices Act
(1991) - intent of the bill is to focus on those not already under the
current forest practices act who would like to participate in funding
made available tor regeneration of trees. - regenerative requirements
have not been practiced 296 - this bill does not have a requirement
to regenerate. It will be based on choice. - forest lands change hands
about every 8 years on average

TAPE 118 SIDE A

005 KEISLING: - continues testimony on SB 1007, and overview of
EXHIBIT A and B. - answers questions from committee members 009 SEN

SMITH: - discussion on big-diversity and definition and dangers to the landowner 032 REP CYNTHIA WOOTEN, House District 41, offers testimony on SB 1007, and presents overview of proposed legislation. - Federal Funding is minimal compared to possible returns under this legislation 089 DICK BALDWIN, Member of Forest Trust Advisory Board, Springfield Forest Products,

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. - Senate Agriculture and Natural Resources April 12, 1993 Page 3

offers testimony in support of SB 1007, and presents overview of EXHIBIT C. - adequate support and publicity will be necessary for promotion

150 JANET McLENNON, Board of Forestry, offers testimony on SB 1007, and presents overview of the Board's support for proposed legislation.

224 SEN KINTIGH: I now hear that planted forests aren't really forests, how do you feel about that? 232McLENNON: We are in the business of regulating planted forests. The forests that have not been planted are of a different type. 249 BRIAN GREEBER, Oregon State University, College of Forestry faculty, offers testimony on SB 1007, and presents overview of economics of this proposed legislation. - 3 goals for western region - revenue sharing concept - projected yields and revenues - investment analysis undertaken - this would overcome many burdens in reforestation involved in the logging industry

336 SEN SHOEMAKER: Are we talking about lands that would be subject to urbanization in the future? I worry that owners may get tree land with funds, and cut timber prematurely. 346 GREEBER: Lower slopes are where private lands are situated. There is potential forest interface with urban fringe that should not be subject to development.

394 WALLACE RUTLIDGE, Director, Department of Forestry, offers testimony on SB 1007, and presents overview of EXHIBIT D.

TAPE 117 SIDE B

005 RUTLIDGE: - continues testimony on SB 1007, and overview of EXHIBIT D. 100 JOSH BRATT, Representing Self, offers testimony in favor of proposed SB 1007, and presents overview of EXHIBIT E.

159 LIZ FRENKEL, Oregon Sierra Club, offers testimony supporting SB 1007, and overviews EXHIBIT F. 180 MARK JACK DESMOND, NRCA, offers testimony supporting SB 1007. y supporting SB 1007. -

obtaining Federal matching funds suggested (\$500 000 each) - obtaining Federal matching funds suggested (\$500 000 each) - many unemployed want work immediately and this money could be used now 223 SEN COHEN: i want justification for the extra money you are suggesting. Senate Agriculture and Natural Resources April 12, 1993 Page 4

229 DESMOND: Why do we need lottery when we have money from the Federal Government?

PUBLIC HEARING SB 643

WITNESSES: Jerry Powell, Portland resident Bobbie Vranes, Public Utility Commission Deleyn Kies, Washington County Craig Starr, Asst. Public Works Director, Land County Max Brittingham, OSSI

249 Sen Cohen: - presents overview of proposed legislation.

287 JERRY POWELL, Portland resident, offers testimony on SB 643, and overview of threats to recycling in Oregon. - #1 threat is the lack of markets for recycled plastic - perceived high cost of recycling collection - local governments and public lack legal access to data and process - Metro's curbside collection service is the most expensive in the country

365 JOEY LYONS (for MIKE KIRBS), offers testimony on SB 643, and reads EXHIBIT H for the record.

TAPE 118 SIDE B

005 BOBBY VRANES, PUC, offers testimony on SB 643, and overview of EXHIBIT I. 021 DELEYN KIES, Solid Waste Management Coordinator, Washington County, offers testimony in opposition to SB 643, and presents overview of EXHIBIT I. - variations in service levels, geography, densities and costs among communities are not taken into account with mandated in proposed legislation - existing local government expertise, capabilities not recognized in proposed legislation - development of model financial reporting format and system of accounts needed - annual financial report would be filed with the commission - model tariff format for listing service cost would be available to public

089 CRAIG STARR, Assistant Public Works Director, Lane County, offers testimony on SB 643, and presents overview of EXHIBIT J. - SB 643 would create expensive and ineffective system for technical rate setting assistance for local governments - AOC work group staff organizing methods of solid waste assistance to counties at a cost of \$85-100,000.00 annually which is much less than the estimated cost for implementation of proposed legislation. - waste reduction, recycling, permitting, regulatory compliance assistance available

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124 MAX BRITTINGHAM, Executive Director, OSSI, offers testimony on SB 643, presents overview of EXHIBIT K, and overview of local concerns with waste collection. - concern with increasing sophistication in rate setting - OSSI is impressed with the level of expertise at the local level (city and county) 163 SEN SHOEMAKER: Why is waste collection more expensive in Oregon than it is in other areas of the country.

176 KIES: Part of the reason for the extra cost is the variety of materials collected and sorted.

PUBLIC HEARING ON SB 1011

WITNESSES: Cheryl Perrin, Recycling Marketing Council

200 CHERYL PERRIN, Recycling Market Development Council, Portland, offers testimony on SB 1011, and presents overview of the council's position on this legislation. - legislation is needed to provide funding for the Marketing Development Council 231 SEN COHEN: What is needed to move this bill and comply with SB 66? What about a single product registration fee? PERRIN: Over a biennium we would need about \$250,000.00 to support staff position and technical advice and

contribute to studies done in other areas of the country. We now get the Commodity Division's reports and cannot do anything with them. Things are dysfunctional from the standpoint of the council and the work that needs to be done. 288 SEN COHEN: What is your definition of "Market Development?" 297 PERRIN: We will provide you with a definition.

304 CHAIR CEASE: We have several bills that would make exemptions or provide for extensions in plastics. I am told that last session when SB 66 passed, industry promised to help fund the Marketing Commission, and they haven't done that. We need to come up with a funding mechanism, and I ask you together with industry to work out something.

320 PERRIN: As a council, we do not accept any exceptions to current language. We are not fund raisers? going out to raise our own funds for the existence of this council.

PUBLIC HEARING ON 1007 (continues)

360 JULIE; BRANDIS, OSWA, offers testimony on SB 1007, and reads into the record testimony of Eileen Waldorf's testimony on proposed legislation on under productive lands (EXHIBIT L). Senate Agriculture and Natural Resources April 12, 1993 Page 6

TAPE 119 SIDE A

005 BRANDIS: - continues testimony on SB 1007. 029 CLYDE RAMSAY, OSWA, offers testimony on SB 1007, and answers questions from members. - problems causing under-productivity in forest land need to be dealt with before passing this type of legislation

INTRODUCTION OF LC 3895 (EXHIBIT G)

MOTION: Chair Cease moves the introduction of LC 3895 VOTE: Hearing no objection from members; ACTION: LC 3895 introduced as Committee Bill

PUBLIC HEARING ON SB 996 and 977

WITNESSES: Brian Vincent, Forest Conservation Council Mark Wigg, Pacific Forest Consultants Chris Fresell, Oregon State University Mark Leer, Forest Conservation Council Glen Spain, Pacific Coast Federation of Fisherman's Associations Mr. Evanson

088 BRIAN VINCENT, Forest Conservation Council, offers testimony on SB 996 and SB 977, and presents overview of EXHIBIT M. - multiple resource planning needed - members board of directors named 211 MARK WIGG, Pacific Forest Consultants, offers testimony on SB 996 and 977, and presents overview of EXHIBIT N. - need for high quality and larger diameter lumber - juvenile wood is inferior in quality and much lower in value - overview of qualities and economic benefits of higher quality wood 316CHRIS FRESELL, OSU Faculty, Department of Fisheries and Wildlife, offers testimony on SB 977 and SB 996, and overviews research done on these issues, and effects of forest practices on Oregon fish habitat. - delays due to bureaucratic dilution of critical information is detrimental to understanding impacts of forest practices - delays in action on forest practices imperil sport and commercial fisheries in Oregon 365 SEN KINTIGH: Are you aware that this bill calls for 1/4 mile no cut zones and do you have scientific proof that shows that is absolutely necessary? Senate Agriculture and Natural Resources April 12, 1993 Page 7

380 FREZELL: Yes' t'or the fish, hut t'rom a political standpoint I can't say what is absolutely necessary. Very wide but'fer zones along major rivers, particularly the flood plain rivers, are critical to sustaining fish habitat in the long run, in those river systems. - SB 966 is weak in 3 critical areas, slope stability, road obliteration and maintenance standards, monitoring and enforcement mechanisms - the Federal government will soon be proposing large scale endangered species petitions

TAPE 120 SIDE A

005 FREZELL: - continues testimony on SB 977 and 996 and answers questions from members. 060 VINCENT: We are not proposing to shut down economic returns from management zones. LC 1541 would provide tax incentives to industry for management according to prescriptions.
076 MARK LEAR, Conservation Coordinator, Forest Conservation Council, offers testimony on SB 977 and SB 996, and presents overview of EXHIBIT M. - comments on proposed changes to the Oregon Endangered Species Act - Federal funding available - state ESA needs to be strengthened - power to list private lands 183 GLEN SPAIN, Pacific Coast Federation of Fisherman's Associations, offers testimony on SB 997 and 996, and presents overview of the effects of impacts of forestry practices on fisheries. - dozens of listings in the next 5 years if loss of Salmon species continues - riparian habitat recommendation - overview of California's Forest Practices - clearcut limits in Oregon as compared to those in California 300 MR, EVANSON, oft'ers testimony on SB 996 and 977. - rights of private ownership are removed by this legislation
355 CHAIR CEASE ADJOURNS MEETING AT 11:00 AM

EXHIBIT LOG:

A - Hand Engrossed -I amendments to SB 1007 - Keisling - 3 pages B
- Testimony on SB 1007 - Keisling - 18 pages C - Testimony on SB 1007 - Baldwin - 3 pages D - Testimony on SB 1007 - Rutlidge - 5 pages E - Testimony on SB 1007 - Bratt - 2 pages F - Testimony on SB 1007 - Frenkel - I pages G - Committee Draft LC 3895 (SR3) - Staff- 2 pages H - Testimony on SB 643 - Kerbs - I pages I
- Testimony on SB 643 - Kies - 2 pages

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Submitted by: Green Assistant Reviewed by: Kus Soumie Peter Administrator ,

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