

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

DATE: May 14, 1993 TAPES: 154-155 PLACE: Hearing Room
C TIME: 8:00 AM

MEMBERS PRESENT: Senator Jim Bunn, Chair Senator Joyce Cohen Senator Shirley Gold Senator Bob Kintigh Senator Bob Shoemaker Senator Gordon Smith MEMBERS EXCUSED: Senator Ron Cease STAFF PRESENT: Peter Green, Administrator Chris Warner, Research Associate Pamela Andersen, Clerk

MEASURES HEARD: SB 1036 SB 911 LC INTRODUCTION: LC 3968
EXECUTIVE REAPPOINTMENT: Morella Larsen - Public Lands Advisory Committee
EXECUTIVE APPOINTMENT: Richard J. Elfering - Public Lands Advisory Committee
INFORMATIONAL MEETING: Emergency Management in Columbia County

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TAPE 154, SIDE A

005 CHAIR BUNN: Calls the meeting to order at 8:00 a.m. Opens the informational special hearing. INFORMATIONAL MEETING ON EMERGENCY MANAGEMENT IN COLUMBIA COUNTY

009 BOB HALL: (Portland General Electric) Introduces Tom Walt. Sonata Agriculturo and Natural Resourcos May 14, 1993 Pago 2

014 TOM WALT: (Portland General Electric) (introduces EXHIBIT A) Offers testimony on emergency management at the Trojan nuclear plant. - Defines the term "we" as he will use it in testimony, as PGE and affected state and county agencies. - Lists the agencies. - Lists the various aspects of safety for which planning has been done. - Notes "ingestion" planning. - These plans have been nationally recognized. 044 - Trojan has been permanently shut down and defueled. - Potential accidents that can occur while the plant is shut down have been reviewed. - It has been shown that no radioactive accidents can occur at this time. - One potential accident is from an earthquake. - Reviews the specifics of the study with the Nuclear Regulatory Commission (NRC) related to a possible earthquake. - The plan has been submitted for approval to the Oregon Department of Energy and the NRC.

097 DAVID STEWART-SMITH: (Oregon Department of Energy) (introduces EXHIBIT B) Offers testimony on emergency management at the Trojan nuclear plant. - Compares the cost of emergency management in Oregon to that of Washington. 142 - Discusses scaling back the emergency plan program to decrease unnecessary costs. - Discusses the Oregon Plan. 180 - Reads a guidance statement by the chair of the Trojan subcommittee of the Energy Facility Siting Council. - The council asked the department to continue to review the plan to determine whether it meshes well with other implemented sets of procedures. - A public meeting on the plan was held April 19. 225 - On May 5, the NRC issued a "possession only" license, which is a "point of no return" for a formerly operating nuclear reactor. - The Federal Emergency Management Agency (FEMA) has requested a federallyevaluated exercise be prepared.

282 SEN. COHEN: Is security a very large part of that which you are addressing; keeping people from creating risks?

STEWART-SMITH: I agree; the long term staffing beyond January 1994, includes a significant number of security personnel.

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- The security plan is a protected document that discusses where sentries will be placed, etc. - That will be reviewed in detail by the Siting Council in June.

CHAIR BUNN: Closes the informational hearing. - Opens the introduction of LC drafts.

INTRODUCTION OF LC DRAFTS

315 MOTION: CHAIR BUNN: Moves the committee introduce LC 3968. VOTE: CHAIR BUNN: Hearing no objection the motion CARRIES. Senator Cease is excused. CHAIR BUNN: Closes the introduction of LC drafts. - Opens the public hearing on SB 1036.

PUBLIC HEARING ON SB 1036 - EXHIBITS C through E

WITNESSES: Mike Dewey, Oregon Waste Systems Bob Danko, Department of Environmental Quality Jerry Yudelson, Regional Disposal Company Diana Godwin, Regional Disposal Company

335 MIKE DEWEY: (introduces EXHIBIT C) Offers testimony in support of SB 103 6. - Reviews the provisions of the bill and why his company supports the bill. 404 Notes the funds that have been set aside to mediate "orphan site" solid waste landfills. - Discusses "tip fees" as they relate to the current landfill costs and out-ofstate competition.

TAPE, 155, SIDE A

027 DEWEY: Notes amendments they wish to introduce. - They wish to exempt individuals self-hauling their residential waste to sites near them, but across state lines. - We want to ensure industrial solid waste disposed of in a municipal solid waste landfill would also pay the fees so there is incentive to dispose of waste outof-state. - This would not be a great financial loss to the Department of Environmental Quality. - We believe those who generate the waste should pay for its disposal.

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065 CHAIR BUNN: With respect to orphan sites, if the 13 cents is to pay to clean up a problem in Oregon that becomes a problem in the future, why would exported waste need to pay that fee into our fund?

DEWEY: When we discussed what should and should not be included, we reviewed legislative history. - Reviews past legislation. - We believe new landfills are being built environmentally sound, but there is no guarantee that was the case in the past, necessitating that fees be reserved now to resolve possible past errors.

SEN. COHEN: Your proposal is to collect both the 85 cents and the 13 cents?

DEWEY: The bill speaks to both those figures.

091 SEN. COHEN: We need to continue to collect the 13 cents to replace landfills that are no longer useful.

109 BOB DANKO: (introduces EXHIBIT D) Offers testimony in support of SB 1036. - Reviews the situation in California relative to the amount of their hazardous waste disposal fee based upon the location of the disposal. - Other states pressured California to have a fair disposal fee. - I don't see this as a major revenue source for the department.

135 JERRY YUDELSON: (introduces EXHIBIT E) Offers testimony in opposition to SB 1036. - Reviews some of the history of his company. - Notes the landfill capacity in the Northwest. 171 - Raises policy issues that he believes argue against the bill. - This is a regional business issue. - Discusses tax practices on waste products in the state of Washington and compares them to Oregon's practices. - Oregon is already at a \$2-a-ton disadvantage.

205 SEN. SHOEMAKER: You are including your state's {inaudible} tax? - Doesn't that have to be balanced with your state's corporate income tax?

YUDELSON: We only pay corporate income tax.

SEN. SHOEMAKER: Those both have to be placed in the equation.

YUDELSON: We are addressing that there is no level playing field, as Mr. Dewey states. - 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 May 14, 1993 Page 5

- We intend to solicit waste from Portland Metro. - This only affects the chief competitor of Oregon Waste Systems.

237 DIANA GODWIN: Offers testimony in opposition to SB 1036. - Reviews her experience with the previous session's bills on tip fees. - Notes the intent of the previous legislation. 273 - She participated in the development of the Oregon Site Fund. - No bonds have been issued for solid waste cleanup even though the fees have been collected. - Our landfill would never be a beneficiary of these fees.

SEN. SHOEMAKER: (To Bob Danko) For what is the 85 cents used?

292 DANKO: Breaks down the expenditure/investment of the 85 cents.

CHAIR BUNN: Closes the public hearing on SB 1036. - Opens the executive reappointments.

EXECUTIVE REAPPOINTMENTS

336 MORELLA LARSEN: Reviews her personal background and experience. - Discusses what expertise, etc. she could bring to the Public Lands Advisory Committee.

CHAIR BUNN: We will hold this until we review the next appointment, at which time we will consider a motion to approve en bloc. - Closes the executive reappointments. - Opens the public hearing on SB 911.

PUBLIC HEARING ON SB 911 - EXHIBIT F WITNESSES: Paul Heikkila Ira Koker, representing Jean Millies Rick Goche, Tri-State Crab Committee Jerry Hampel Ken Martinson, Tri-State Crab Committee Guy Thornburgh, Pacific States Marine Fisheries Commission Johnnie Brown, Crab Marketing Alliance Dave Brown John Warner Robert Manning David Hazen Jon Walton, representing Senator Bill Bradbury - 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 May 14, 1993 Page 6

440 PAUL HEIKKILA: (introduces EXHIBIT F) Offers testimony in support of SB 911. - Reads testimony of behalf of Jim Erwin.

TAPE 154, SIDE B

040 HEIKKILA: Notes his participation in the affected crab industry. - Explains the impact of the provisions of the bill. - References Exhibit F. - Notes the necessity of the bill in maintaining the industry. - References SB 938 which requires a study be performed, stating this cannot be studied further, as it needs to be implemented this season or the industry will be set back 20 years.

118 ROBERT MANNING: Offers testimony in opposition to SB 911. - I don't think we need limited entry. - Mentions the other persons that would have liked to testify but were unable.

CHAIR BUNN: Temporarily closes the public hearing on SB 911. - Opens the executive appointments.

EXECUTIVE APPOINTMENTS

138 RICHARD ELFERING: Explains why he is interested in serving on the Public Lands Advisory Committee. - Reviews his personal and professional background.

168 MOTION: SEN. BUNN: Moves to recommend to the Senate that it confirm en bloc the appointments of Morella Larsen and Richard Elfering to the Public Lands Advisory Commission. VOTE: In a roll call vote, all members present vote AYE. SENATORS CEASE and COHEN are EXCUSED.

CHAIR BUNN: The motion CARRIES. Senator Shoemaker will carry the

appointments.

CHAIR BUNN: Closes the executive appointments. - Reopens the public hearing on SB 911.

PUBLIC HEARING ON SB 911 (continued) .

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- 179 JON WALTON: (introduces EXHIBIT G) Reads testimony in support of SB 911 on behalf of Senator Bill Bradbury.

212 DAVID HAZEN: Offers testimony in support of SB 911. - If we don't do something in this state, the federal government will step in. - Lead, follow, or get out of the way. - Explains the results of each of these options.

232 IRA KOKER: Offers testimony on SB 911. - I am neither for nor against the bill. - I am representing a woman who fished through the "window" period with no boat; this bill would precluding her from continuing. - The bill is worded incorrectly, as it does not include a (c) clause to include such people. - The bill should not be passed until rewritten to consider persons who commercially crab but don't have boats.

271 RICK GOCHE: Offers testimony on SB 911. - Notes his business and the commissions, etc. on which he serves. - Addresses some of the concerns of Mr. Koker. - The quotas to be filled, as noted on lines 14 and 15, are very insignificant. - We took the most liberal approach possible to limited entry. - Notes the option available to those with pots but no boats. - This bill caps effort rather than reducing effort; it caps the number of boats.

363 JERRY HAMPEL: Offers testimony in support of SB 911. - I am unaware of anyone in my area that opposes this bill. - The crabbing industry will be overcapitalized before long.

382 KEN MARTINSON: Offers testimony on SB 911. - Lists his affiliations. - It is important to place a cap on the number of boats because we have enough boats for the number of crabs. - A review board could address those falling through the cracks because of the bill. - We don't need state or federal bureaucracy.

422 CHAIR BUNN: What were the results of the vote on this issue?

MARTINSON: It was in the neighborhood of 70 percent in support.

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428 GUY THORNBURGH: Offers testimony on SB 911. - The Dungeness crab fishery is indeed overcapitalized, and a limited entry system is a rational step toward management. Reviews the history and design of the commission. - The commission is not governmental; we are a nonprofit organization.

TAPE 155, SIDE B

THORNBURGH: Crab is one of the few remaining open access fisheries. - A survey conducted last year revealed 70 percent of Oregon fishermen wanted to limit entry for crab. - Washington and California are also addressing limited entry. - This needs to be addressed now so we can work next year with those states on their rules. - Notes reasons why this rule coordination is important.

059 JOHNNIE BROWN: Offers testimony on SB 911. - He is President of the Crab Marketing Alliance, representing 60 vessels. - References testimony he submitted at the last hearing of the bill. - The bill is very much needed.

SEN. SMITH: Is the unanimity because it is a depleting resource that will not recover?

BROWN: It is economics. - I don't think the crabs may be in danger of being depleted. - We don't think we are doing well economically.

SEN. SMITH: I have a problem with the philosophy of limited entry. - Are we countering the notion of free enterprise? - I could understand this if there was endangerment to the resource of crabs.

106 BROWN: You are probably not attacked by the myth of the greatness of fishing.

SEN. SMITH: When you get the government involved, you may end up with price supports, etc. and you may regret this direction being taken.

133 BROWN: We won't need price supports; we just need to restore sanity in this and spread out our product. - We need a chance to market our product evenly. - We catch most of the harvest in three weeks and dump it anywhere we can for a low price.

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- The east coast is crying for crabs but there aren't any because we dumped them for a \$1 a pound in December.

SEN. KINTIGH: Didn't we hear that quality was inferior during times other than December?

1 60 BROWN: That true; however, it varies. - Lists the prime harvest months.

173 DAVE BROWN: Offers testimony in support of SB 911. - A biologist told us in 1968 that we were catching 95 percent of the available males every year. - Other fishing industries are limited so we can't enter

them, but others can enter our industry because we aren't limited. - I think this is the only answer right now.

203 JOHN WARNER: Offers testimony in support of SB 911. - This would be one of our most important tools, giving us more economic value from our crabs. - I don't know that I will qualify for limited entry or not, but I support this bill.

SEN. KINTIGH: What is the cost of a fishing vessels

WARNER: I spent \$130,000 for mine, recently.

221 CHAIR BUNN: Closes the public hearing on SB 911. - Adjourns the meeting at 9:45 a.m.

Submitted by: Reviewed by: Pamella Andersen Peter Green
Clerk Administrator

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EXHIBIT LOG:

A Testimony on Trojan Emergency Planning - Tom Walt - 4 pages
B Testimony on Trojan EmergencyPreparedness- David Stewart-Smith - 3
pages C Testimony on SB 1036 - Mike Dewey - 2 pages D Testimony on
SB 1036 - Bob Danko - 2 pages E Testimony on SB 1036 - Jerry Yudelson
- 3 pages F "West Coast Fisheries Limited Participation Systems" -
Paul Heikkila - 7 pages SB q 1 GTestimony on SB 911 - Jon Walton - 1
page H Information Packet- Committee Staff

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