

SENATE COMMITTEE ON WATER POLICY

June 8, 1993 Hearing Room 137 3:00 p.m. Tape 54

MEMBERS PRESENT: Sen. Bill Dwyer, Chair Sen. Bob Kintigh,
Vice-Chair Sen. Wes Cooley

Sen. Frank Roberts Sen. Tricia Smith

MEMBERS EXCUSED: None

STAFF PRESENT: Lisa Zavala, Administrator Pamella Andersen,
Committee Clerk

MEASURES CONSIDERED: HB 2346

[--- Unable To Translate Graphic ---] 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 54, SIDE A

004 CHAIR DWYER: Calls the meeting to order at 3:08 p.m. - Opens the public hearing on HB 2346.

PUBLIC HEARING ON HB 2346 - EXHIBITS A through D

WITNESSES: Martha Pagel, Department of Water Resources Becky Kreag,
Department of Water Resources Representative Chuck Norris, District 57
Jim Myron, Oregon Trout

013 MARTHA PAGEL: (introduces EXHIBITS A and B) Offers testimony in support of HB 2346. - The bill closely follows the policy statement in the storage policy

adopted by the commission about a year ago, which encourages

economically and environmentally feasible projects. - The storage policy includes structural and non-structural storage

opportunities. - The storage policy sets out a greater leadership role for the

department at the local level to help identify potential storage

opportunities and bring together public and private concerns.

CHAIR DWYER: With regard to your current storage policies, are they in administrative rule?

PAGEL: Yes, and those are in Exhibit B.

034 SEN. ROBERTS: One significant source of water storage is natural water storage mechanisms such as forests, etc. - Is there any hard data that measures the potential of other kinds of

storage, providing a basis for more aggressive forest management tied to water storage. PAGEL: There is a general understanding and recognition of natural

watershed storage. - That is one of the motivators behind the watershed health concept in

SB 1112. - The commission's policy refers to non-structural storage.

SEN. ROBERTS: References the two watershed studies. - Are we going to have enough data and scientific knowledge to assign a certain capacity to a certain basin in terms of the natural or

enhanced condition affected by land use?

BECKY KREAG: There have been studies that try to quantify the amount of additional water storing capacity that could be achieved if riparian

areas were restored, raising water tables. - I don't know if it has been quantified, but road drainage forest

practices reveal they speed up the flow of water from the forest. - Installing detention basins and breaking up artificial drainage hold potential.

SEN. ROBERTS: I wish we could determine more specific practices in terms of storage.

KREAG: We will try to do that. - The Forest Service may be best able to help us quantify that.

SEN. ROBERTS: I would assume it would take the combined resources and expertise of a number of experts and agencies.

SEN. KINTIGH: Comments on the field trip the Committee on Agriculture and Natural Resources took to eastern Oregon. - Junipers were cut, resulting in an increase in the available water in the meadows below.

120 REP. CHUCK NORRIS: Offers testimony in support of HB 2346 as its sponsor. - They are stating a policy that storage is no longer a four-letter word. - Building dams is not the only way to store water. - Improving the riparian zones and enhancing the wetlands will provide

us with some of nature's best storage. - Study of underground storage in existing aquifers has been done by

CH2M Hill. - This bill involves no money or FTE's.

CHAIR DWYER: You have no problem with the department's administrative rule with regard to storage?

155 REP. NORRIS: I don't think I have any real argument with it.

PAGEL: Exhibit B is our reprinted version of the rule.

CHAIR DWYER: Suppose we would want to reference the administrative rule in the statute?

SEN. COOLEY: Wouldn't that lock them into not changing the administrative rule?

PAGEL: Our experience with Legislative Counsel is they are not comfortable with statute referencing rule.

REP. NORRIS: Rules flow from statutes.

CHAIR DWYER: I disagree, though that would be the natural flow.

213 JIM MYRON: (introduces EXHIBIT C) Offers testimony in support of HB 2346. - They want to ensure the bill makes it clear that storage is not

limited strictly to structural storage. - We would support an amendment to the bill that would make it clear a

wide variety of storage options are being referenced. - We offered a proposed amendment that references the OAR's. - If that is inappropriate, I can work to develop something that is

appropriate.

236 CHAIR DWYER: Reads from section 1(2). - You don't think that is broad enough?

SEN. ROBERTS: The phrase "multipurpose water storage facilities" seems to stress a facility, building or structure.

CHAIR DWYER: So we want to make it broader than that?

SEN. ROBERTS: Reads from Exhibit C(2)(e), "The state shall encourage enhancement of watershed storage capacity through natural processes..." - If the bill read, "financially feasible, multipurpose water storage facilities and encourage the enhancement of watershed storage capacity ...

CHAIR DWYER: (finishes the quote) ... through natural processes using non-structural means." - That would take in everything. - Observes there are no objections.

260 SEN. KINTIGH: On the subject of storage structures, what characteristics would you find most desirable from the environmental

standpoint?

MYRON: Since most of the best storage sites have been built upon, the

remaining sites are in the upper watershed so they don't block anadromous fish passage. - You won't be able to store the same amount of water. - You may have to build a dozen compared to one down below.

SEN. KINTIGH: If they were above where the anadromous fish flow, that would be helpful?

MYRON: It would be helpful if the facility provided for a certain amount of the water to be used for in-stream flows a certain part of the year.

297 SEN. COOLEY: Devising a method for storing water is the only way we are going to be able to provide adequate in-stream water flows. - Only by proper planning and cooperation in storing the resource are we going to be able to provide the necessary water. - If we depend on nature, we are going to have drought years.

MYRON: There are some sites out there where we could build dams. - We just need to reverse the trend of structural versus natural storage.

SEN. COOLEY: We have learned a lot and the structural things we build can be better because of what we have learned.

347 SEN. SMITH: Joins the meeting.

CHAIR DWYER: You can recharge aquifers. - Gives example near Hermiston of using the water and still helping the fish relative to the impact of basaltic rock. - You could irrigate at a certain time, and provide increased in-stream flows based upon your timing.

MYRON: That has very valid benefits.

CHAIR DWYER: We could recharge at periods of peak levels and maintain the amount of groundwater.

380 MYRON: Keep in mind different flow levels are necessary to the fish. - We need to consider the hydrology of the system.

393 CHAIR DWYER: Closes the public hearing on HB 2346. - Adjourns the meeting at 3:33 p.m.

Submitted by,

Reviewed by,

Pamella Andersen

Lisa Zavala Clerk
Administrator

EXHIBIT LOG:

A Testimony on HB 2346 - Martha Pagel - 1 page B Oregon Water
Management Program: Water Storage - Martha Pagel - 7 pages C
Testimony on HB 2346 - Jim Myron - 4 pages D Testimony on HB 2346 -
Ann Fairclo - 1 page