

**SENATE COMMITTEE ON**  
**ENVIRONMENT AND NATURAL RESOURCES**

February 03, 2009  
3:00 P.M.

Hearing Room C

**MEMBERS PRESENT:**       **Sen. Jackie Dingfelder, Chair**  
                                  **Sen. Jason Atkinson, Vice-Chair**  
                                  **Sen. Floyd Prozanski**  
                                  **Sen. Mark Hass**  
                                  **Sen. Brian Boquist**

**GUEST MEMBERS:**       **Sen. David Nelson**  
                                  **Sen. Rick Metsger**  
                                  **Sen. Doug Whitsett**

**STAFF PRESENT:**       **Beth Herzog, Committee Administrator**  
                                  **Natalie Worley, Committee Assistant**

**MEASURES/ISSUES HEARD:**   **SB 76 – Public Hearing**  
                                  **Measure Introduction – Work Session**  
                                  **SB 76 – Public Hearing**

This recording log is in compliance with Senate and House Rules. For complete contents, refer to the digital audio recording.

**SENR****2/3/2009 2:59:01 PM**

**2:59:01 PM** Meeting Called to Order  
**2:59:14 PM** SB 76 - Public Hearing  
**2:59:15 PM** Chair Dingfelder  
**3:01:09 PM** Measure Introduction - Work Session  
**3:01:09 PM** Chair Dingfelder  
**3:01:09 PM** {Exhibit} 1: Chair Dingfelder  
**3:01:22 PM** MOTION: Sen. Atkinson moves LC 1926 BE INTRODUCED as a  
Committee Bill  
**3:01:28 PM** Chair Dingfelder  
**3:01:52 PM** VOTE: 4-0-1  
**3:01:52 PM** Ayes: Dingfelder, Atkinson, Hass, Boquist; Excused: Prozanski  
**3:01:59 PM** SB 76 - Public Hearing  
**3:02:00 PM** Chair Dingfelder  
**3:02:18 PM** Beth Herzog, Committee Administrator  
**3:02:22 PM** {Exhibit} 2: Herzog  
**3:02:40 PM** {Exhibit} 3: Herzog  
**3:03:03 PM** Chair Dingfelder  
**3:03:26 PM** Mike Carrier, Governor's Natural Resources Policy Director  
**3:04:08 PM** {Exhibit} 4: Carrier  
**3:07:38 PM** Chair Dingfelder  
**3:08:00 PM** Sen. Boquist  
**3:08:53 PM** Carrier  
**3:10:08 PM** Sen. Boquist  
**3:10:20 PM** Carrier  
**3:10:45 PM** Sen. Boquist  
**3:11:05 PM** Carrier  
**3:11:14 PM** Sen. Boquist  
**3:11:45 PM** Carrier  
**3:12:35 PM** Chair Dingfelder  
**3:13:14 PM** Sen. Whitsett, District 28  
**3:13:15 PM** {Exhibit} 5: Sen. Whitsett  
**3:21:39 PM** Chair Dingfelder  
**3:21:46 PM** Sen. Schrader, District 20  
**3:25:35 PM** Chair Dingfelder  
**3:25:42 PM** Sen. Nelson  
**3:26:38 PM** Sen. Whitsett  
**3:29:37 PM** Chair Dingfelder  
**3:30:31 PM** Jeff Mitchell, Klamath Tribes of Oregon  
**3:30:31 PM** {Exhibit} 6: Mitchell

**3:35:16 PM** Chair Dingfelder  
**3:35:35 PM** Mike Becker, Salmon Fisherman, Newport  
**3:35:35 PM** {Exhibit} 7: Becker  
**3:40:37 PM** Greg Addington, Executive Director, Klamath Water Users Association  
**3:40:37 PM** {Exhibit} 8: Addington  
**3:44:59 PM** James Honey, Sustainable Northwest, Portland  
**3:48:58 PM** Chair Dingfelder  
**3:49:05 PM** Sen. Boquist  
**3:49:30 PM** Honey  
**3:50:21 PM** Chair Dingfelder  
**3:50:23 PM** Vice-Chair Atkinson  
**3:50:35 PM** Addington  
**3:52:20 PM** Chair Dingfelder  
**3:52:48 PM** Honey  
**3:54:52 PM** Chair Dingfelder  
**3:54:55 PM** Sen. Prozanski  
**3:55:29 PM** Honey  
**3:56:10 PM** Chair Dingfelder  
**3:56:14 PM** Vice-Chair Atkinson  
**3:56:32 PM** Chair Dingfelder  
**3:57:09 PM** Scott Bolton, Government Affairs Director, PacifiCorp.  
**3:57:09 PM** {Exhibit} 9: Bolton  
**4:01:26 PM** Chair Dingfelder  
**4:01:36 PM** Bob Jenks, Executive Director, Citizens Utility Board, Oregon  
**4:05:00 PM** Chair Dingfelder  
**4:05:14 PM** Vice-Chair Atkinson  
**4:05:24 PM** Bolton  
**4:06:03 PM** Vice-Chair Atkinson  
**4:06:58 PM** Andrea Kelly, Vice President of Regulation, PacifiCorp.  
**4:08:55 PM** Vice-Chair Atkinson  
**4:09:29 PM** Chair Dingfelder  
**4:09:34 PM** Bolton  
**4:10:42 PM** Jenks  
**4:12:04 PM** Chair Dingfelder  
**4:12:07 PM** Sen. Boquist  
**4:13:10 PM** Bolton  
**4:14:10 PM** Kelly  
**4:14:50 PM** Sen. Boquist  
**4:15:25 PM** Kelly  
**4:16:16 PM** Jenks  
**4:16:58 PM** Sen. Metsger  
**4:19:29 PM** Bolton  
**4:20:20 PM** Sen. Metsger  
**4:20:57 PM** Kelly  
**4:22:11 PM** Sen. Metsger

4:22:47 PM Kelly  
4:23:40 PM Chair Dingfelder  
4:23:55 PM Carrier  
4:26:49 PM Chair Dingfelder  
4:27:08 PM Carrier  
4:28:01 PM Sen. Boquist  
4:28:27 PM Carrier  
4:29:05 PM Chair Dingfelder  
4:29:08 PM Sen. Prozanski  
4:29:36 PM Kelly  
4:30:37 PM Sen. Prozanski  
4:30:53 PM Kelly  
4:31:34 PM Chair Dingfelder  
4:31:39 PM Sen. Boquist  
4:31:59 PM Kelly  
4:32:15 PM Carrier  
4:32:27 PM Chair Dingfelder  
4:32:57 PM Jenks  
4:34:12 PM Chair Dingfelder  
4:34:22 PM Lee Beyer, Chair, Oregon Public Utility Commission  
4:34:32 PM Jenks  
4:34:50 PM Chair Dingfelder  
4:34:55 PM Beyer  
4:35:37 PM Chair Dingfelder  
4:35:44 PM Beyer  
4:36:13 PM Chair Dingfelder  
4:36:20 PM Sen. Boquist  
4:36:36 PM Beyer  
4:37:06 PM Sen. Boquist  
4:37:14 PM Beyer  
4:37:20 PM Chair Dingfelder  
4:37:25 PM Vice-Chair Atkinson  
4:37:40 PM Beyer  
4:37:52 PM Chair Dingfelder  
4:37:58 PM Sen. Nelson  
4:38:31 PM Beyer  
4:39:08 PM Chair Dingfelder  
4:40:20 PM Katherine Lehman, People for the USA Grange, Ashland  
4:42:57 PM {Exhibit} 10: Lehman  
4:42:58 PM Chair Dingfelder  
4:43:06 PM Lehman  
4:45:06 PM Vice-Chair Atkinson  
4:45:13 PM Steve Kandra, Klamath Irrigation Project Farmer, Merrill  
4:45:13 PM {Exhibit} 11: Kandra  
4:47:28 PM Andrea Rabe, Off Project Irrigator  
4:50:14 PM Chair Dingfelder

4:51:01 PM Dr. Richard A. Gierak, Interactive Citizens United  
4:51:40 PM {Exhibit} 12: Gierak  
4:55:03 PM Chair Dingfelder  
4:55:10 PM Glenn Barrett, Water for Life  
4:57:34 PM Rex Cozzalio, Hornbrook, California  
4:57:34 PM {Exhibit} 13: Cozzalio  
4:57:34 PM {Exhibit} 14: Cozzalio  
5:00:08 PM Chair Dingfelder  
5:00:11 PM Sen. Nelson  
5:00:29 PM Cozzalio  
5:02:48 PM Chair Dingfelder  
5:02:50 PM Sen. Whitsett  
5:03:07 PM Cozzalio  
5:05:45 PM Chair Dingfelder  
5:06:22 PM Roger Nicholson, Irrigation Farmer  
5:10:33 PM Karl Scronce, Farmer, Klamath Falls, Oregon  
5:10:33 PM {Exhibit} 15: Scronce  
5:13:13 PM Becky Hyde, Chiloquin, Oregon  
5:13:13 PM {Exhibit} 16: Hyde  
5:16:16 PM Chair Dingfelder  
5:16:22 PM Sen. Whitsett  
5:17:08 PM Hyde  
5:19:44 PM Sen. Whitsett  
5:19:56 PM Hyde  
5:20:14 PM Chair Dingfelder  
5:21:05 PM Ambrose McAuliffe, Irrigation Farmer, Fort Klamath, Oregon  
5:24:54 PM Chair Dingfelder  
5:25:00 PM Tom Mallams, President, Klamath Off Project Water Users  
Association  
5:25:00 PM {Exhibit} 17: Mallams  
5:29:03 PM Chair Dingfelder  
5:29:07 PM Dr. Craig Tucker, Natural Resources Policy Advisor, Karuk Tribe  
5:33:45 PM Chair Dingfelder  
5:33:49 PM Tucker  
5:33:54 PM Chair Dingfelder  
5:33:57 PM Sen. Boquist  
5:34:10 PM Chair Dingfelder  
5:34:15 PM Sen. Whitsett  
5:34:45 PM Mallams  
5:36:54 PM Chair Dingfelder  
5:36:57 PM Sen. Whitsett  
5:38:04 PM Tucker  
5:38:19 PM Sen. Whitsett  
5:38:49 PM Chair Dingfelder  
5:38:54 PM {Exhibit} 18: Mallams  
5:39:05 PM Chair Dingfelder

**5:39:54 PM** Sen. Prozanski  
**5:40:07 PM** Stephen Kafoury, Trust Republic Land  
**5:41:15 PM** Norm Ritchie, Association of Northwest Stealheaders  
**5:43:40 PM** Micheal Early, Executive Director, Industrial Costumers of Northwest Utilities  
**5:43:40 PM** {Exhibit} 19: Early  
**5:48:01 PM** Chair Dingfelder  
**5:48:20 PM** Glen Spain, Northwest Regional Director, Pacific Coast Federation of Fishermans Association  
**5:51:49 PM** Chair Dingfelder  
**5:51:55 PM** Lisa Brown, WaterWatch of Oregon  
**5:51:55 PM** {Exhibit} 20: Brown  
**5:55:36 PM** Chair Dingfelder  
**5:55:41 PM** Jim Welsh, Oregon Cattlemen's Association  
**5:55:41 PM** {Exhibit} 21: Welsh  
**5:58:03 PM** Chair Dingfelder  
**5:58:18 PM** Welsh  
**5:58:27 PM** Spain  
**5:58:33 PM** Chair Dingfelder  
**5:59:02 PM** Gail Hildreth Whitsett, Klamath Falls, Oregon  
**5:59:02 PM** {Exhibit} 22: Hildreth Whitsett  
**6:01:59 PM** Chair Dingfelder  
**6:02:03 PM** Ronnie Daniels, District 12  
**6:05:03 PM** Chair Dingfelder  
**6:05:25 PM** Steve West, Former Klamath County Commissioner  
**6:09:10 PM** Sen. Whitsett  
**6:10:22 PM** West  
**6:11:45 PM** Sen. Whitsett  
**6:12:00 PM** Chair Dingfelder  
**6:12:16 PM** Meeting Adjourned

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**SENR**

**2/3/2009 2:59:01 PM**

- 3:01:09 PM** {Exhibit} 1: Measure Introduction, LC 1926, staff, 6 pp
  - 3:02:22 PM** {Exhibit} 2: SB 76, -2 Amendments, staff, 8 pp
  - 3:02:40 PM** {Exhibit} 3: SB 76, emailed testimony packet, staff, 373 pp
  - 3:04:08 PM** {Exhibit} 4: SB 76, testimony, Mike Carrier, 2 pp
  - 3:13:14 PM** {Exhibit} 5: SB 76, testimony, Sen. Whitsett, 5 pp
  - 3:30:31 PM** {Exhibit} 6: SB 76, testimony, Jeff Mitchell, 2 pp
  - 3:35:35 PM** {Exhibit} 7: SB 76, testimony, Mike Becker, 2 pp
  - 3:40:37 PM** {Exhibit} 8: SB 76, testimony, Greg Addington, 6 pp
  - 3:57:09 PM** {Exhibit} 9: SB 76, Agreement in Principle, Scott Bolton, 32 pp
  - 4:42:57 PM** {Exhibit} 10: SB 76, testimony, Katherine Lehman, 2 pp
  - 4:45:13 PM** {Exhibit} 11: SB 76, testimony, Steve Kandra, 2 pp
  - 4:51:40 PM** {Exhibit} 12: SB 76, testimony, Dr. Richard A. Gierak, 11 pp
  - 4:57:34 PM** {Exhibit} 13: SB 76, testimony, Rex Cozzalio, 5 pp
  - 4:57:34 PM** {Exhibit} 14: SB 76, testimony, Rex Cozzalio, 5 pp
  - 5:10:33 PM** {Exhibit} 15: SB 76, testimony, Karl Scronce, 2 pp
  - 5:13:13 PM** {Exhibit} 16: SB 76, testimony, Becky Hyde, 2 pp
  - 5:25:00 PM** {Exhibit} 17: SB 76, testimony, Tom Mallams, 1 p
  - 5:38:54 PM** {Exhibit} 18: SB 76, petition, Tom Mallams, 747 pp
  - 5:43:40 PM** {Exhibit} 19: SB 76, testimony, Michael Early, 5 pp
  - 5:51:55 PM** {Exhibit} 20: SB 76, testimony, Lisa Brown, 1 p
  - 5:55:41 PM** {Exhibit} 21: SB 76, testimony, Jim Welsh, 2 pp
  - 5:59:02 PM** {Exhibit} 22: SB 76, testimony, Gail Hildreth Whitsett, 3 pp
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