

SENATE COMMITTEE ON
ENVIRONMENT AND NATURAL RESOURCES

April 02, 2009
3:00 P.M.

Hearing Room C

MEMBERS PRESENT: Sen. Jackie Dingfelder, Chair
Sen. Floyd Prozanski
Sen. Mark Hass
Sen. Brian Boquist

MEMBER EXCUSED: Sen. Jason Atkinson, Vice-Chair

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

MEASURES/ISSUES HEARD: SB 79 – Work Session
SB 102 – Work Session
SB 513 – Work Session
SB 787 – Public Hearing
SB 740 – Public Hearing
SB 788 – Public Hearing

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

SENR

4/2/2009 3:04:17 PM

3:04:17 PM Meeting Called to Order
3:04:18 PM Chair Dingfelder
3:04:30 PM SB 79 - Work Session
3:04:30 PM Beth Herzog, Committee Administrator
3:04:42 PM {Exhibit} 1: Herzog
3:05:21 PM Chair Dingfelder
3:06:03 PM Mark Long, Administrator, State Building Codes, Department of Consumer & Business Services
3:08:35 PM Chair Dingfelder
3:09:10 PM Long
3:09:22 PM Chair Dingfelder
3:09:25 PM Dave Van't Hof, Sustainability Policy Advisor, Governor's Office
3:09:45 PM Chair Dingfelder
3:09:56 PM Long
3:10:34 PM Chair Dingfelder
3:10:40 PM MOTION: Sen. Prozanski moves -1 amendments
3:10:47 PM Chair Dingfelder
3:10:58 PM VOTE: 3-1-1
3:10:59 PM Ayes: Hass, Proznanski, Dingfelder; Nays: Boquist; Excused: Atkinson
3:11:09 PM MOTION: Sen. Prozanski moves SB 79 DO PASS as AMENDED & REFER to committee on Ways & Means by prior reference
3:11:18 PM Chair Dingfelder
3:11:29 PM Sen. Boquist
3:11:35 PM Chair Dingfelder
3:11:46 PM VOTE: 3-1-1
3:11:50 PM Ayes: Hass, Prozanski, Dingfelder; Nays: Boquist; Excused: Atkinson
3:11:55 PM Chair Dingfelder
3:12:08 PM SB 102 - Work Session
3:12:09 PM Chair Dingfelder
3:12:17 PM Beth Herzog, Committee Administrator
3:12:20 PM {Exhibit} 2: Herzog
3:12:42 PM Chair Dingfelder
3:12:53 PM Sen. Vicki Walker, Senate District 7
3:15:31 PM Chair Dingfelder
3:15:38 PM Sen. Walker
3:15:42 PM Chair Dingfelder
3:15:51 PM Sen. Walker

3:16:00 PM Chair Dingfelder
3:16:06 PM Andy Ginsburg, Air Quality Administrator, Department of Environmental Quality
3:20:54 PM Chair Dingfelder
3:21:17 PM Sen. Hass
3:21:38 PM Ginsburg
3:22:46 PM Sen. Hass
3:23:08 PM Ginsburg
3:23:27 PM Sen. Hass
3:23:40 PM Ginsburg
3:24:16 PM Sen. Boquist
3:24:21 PM Ginsburg
3:24:56 PM Sen. Boquist
3:25:03 PM Ginsburg
3:25:07 PM Sen. Boquist
3:25:21 PM Ginsburg
3:25:55 PM Sen. Boquist
3:26:03 PM Ginsburg
3:26:13 PM Chair Dingfelder
3:26:59 PM Ginsburg
3:27:49 PM Chair Dingfelder
3:27:57 PM MOTION: Sen. Prozanski moves -2 amendments
3:28:04 PM Chair Dingfelder
3:28:17 PM VOTE: 3-1-1
3:28:19 PM Ayes: Hass, Prozanski, Dingfelder; Nays: Boquist; Excused: Atkinson
3:28:27 PM MOTION: Sen. Prozanski moves SB 102 DO PASS as AMENDED
3:28:31 PM Chair Dingfelder
3:28:44 PM VOTE: 3-1-1
3:28:45 PM Ayes: Hass, Dingfelder, Prozanski; Nays: Boquist; Excused: Atkinson
3:28:56 PM Chair Dingfelder
3:28:58 PM CARRIER: SEN. WALKER will lead the discussion on the floor
3:29:05 PM Chair Dingfelder
3:29:34 PM SB 513 - Work Session
3:29:40 PM Beth Herzog, Committee Administrator
3:30:02 PM {Exhibit} 3: Herzog
3:30:15 PM Chair Dingfelder
3:30:53 PM MOTION: Sen. Prozanski moves -3 amendments
3:31:00 PM Chair Dingfelder
3:31:12 PM VOTE: 4-0-1
3:31:13 PM Ayes: Hass, Boquist, Prozanski, Dingfelder; Excused: Atkinson
3:31:16 PM MOTION: Sen. Prozanski moves SB 513 DO PASS as AMENDED & REFER to committee on Ways & Means by prior reference
3:31:26 PM Chair Dingfelder
3:31:39 PM Sen. Boquist

3:31:51 PM Chair Dingfelder
3:31:55 PM VOTE: 4-0-1
3:31:56 PM Ayes: Hass, Dingfelder, Prozanski, Boquist; Excused: Atkinson
3:32:06 PM Chair Dingfelder
3:32:24 PM SB 787 - Public Hearing
3:32:25 PM Chair Dingfelder
3:32:29 PM Beth Herzog, Committee Administrator
3:32:42 PM {Exhibit} 4: Herzog
3:32:58 PM Chair Dingfelder
3:34:25 PM David Moskowitz, Native Fish Society
3:36:41 PM Patrick Griffiths, Water Resources Coordinator, City of Bend
3:36:42 PM {Exhibit} 5: Griffiths
3:38:00 PM Chair Dingfelder
3:38:07 PM Mark Landauer, Government Affairs, Special Districts Association of Oregon
3:38:08 PM {Exhibit} 6: Landauer
3:40:02 PM Chair Dingfelder
3:40:26 PM Landauer
3:41:01 PM Chair Dingfelder
3:41:22 PM Moskowitz
3:41:54 PM Chair Dingfelder
3:42:53 PM Lorna Stickel, Water Resources Planning Manager, Portland Water Bureau
3:42:54 PM {Exhibit} 7: Stickel
3:44:36 PM Peggy Lynch, Natural Resources Coordinator, League of Women Voters
3:44:37 PM {Exhibit} 8: Lynch
3:45:30 PM Anita Winkler, Executive Director, Oregon Water Resources Congress
3:45:31 PM {Exhibit} 9: Winkler
3:48:05 PM Chair Dingfelder
3:48:18 PM Winkler
3:49:05 PM Chair Dingfelder
3:49:35 PM Katie Fast, Oregon Farm Bureau Federation
3:52:29 PM Jeff Stone, Director of Government Relations, Oregon Association of Nurseries
3:52:30 PM {Exhibit} 10: Stone
3:54:03 PM Daniel Eisenbeis, League of Oregon Cities
3:56:54 PM Chair Dingfelder
3:58:15 PM Eisenbeis
3:58:40 PM Chair Dingfelder
3:59:10 PM Niki Iverson, Water Resources Manager, City of Hillsboro, Joint Water Commission
3:59:11 PM {Exhibit} 11: Iverson
3:59:48 PM {Exhibit} 12: Iverson
4:01:53 PM Chair Dingfelder

4:02:20 PM Iverson
4:03:00 PM Chair Dingfelder
4:03:05 PM Iverson
4:03:09 PM Chair Dingfelder
4:03:14 PM Iverson
4:03:37 PM Chair Dingfelder
4:03:44 PM Iverson
4:03:55 PM Chair Dingfelder
4:04:05 PM Tom Wolf, Executive Director, Trout Unlimited
4:05:57 PM Chair Dingfelder
4:06:00 PM John DeVoe, Executive Director, WaterWatch of Oregon
4:06:01 PM {Exhibit} 13: DeVoe
4:08:36 PM Chair Dingfelder
4:09:00 PM Herzog
4:09:01 PM {Exhibit} 14: Herzog
4:09:05 PM Chair Dingfelder
4:09:10 PM Brenda Bateman, Senior Policy Coordinator, Water Resources Department
4:12:07 PM Chair Dingfelder
4:12:50 PM Bateman
4:13:38 PM Chair Dingfelder
4:13:50 PM Bateman
4:14:08 PM Chair Dingfelder
4:14:11 PM Bateman
4:14:28 PM Chair Dingfelder
4:15:05 PM SB 740 - Public Hearing
4:15:09 PM Beth Herzog, Committee Administrator
4:15:22 PM {Exhibit} 15: Herzog
4:15:33 PM Chair Dingfelder
4:16:30 PM John DeVoe, Executive Director, WaterWatch of Oregon
4:16:31 PM {Exhibit} 16: DeVoe
4:19:20 PM Chair Dingfelder
4:20:03 PM Peggy Lynch, Natural Resources Coordinator, League of Women Voters
4:20:04 PM {Exhibit} 17: Lynch
4:21:11 PM Blair Nash, Manager, Southerlin Water Control District
4:21:12 PM {Exhibit} 18: Nash
4:24:14 PM Sen. Prozanski
4:24:51 PM Nash
4:25:10 PM Sen. Prozanski
4:25:45 PM Nash
4:26:01 PM Chair Dingfelder
4:26:10 PM Sen. Prozanski
4:26:32 PM Katie Fast, Oregon Farm Bureau Federation
4:28:40 PM Tom Wolf, Executive Director, Trout Unlimited
4:30:05 PM Jeff Stone, Director of Government Relations, Oregon Association

of Nurseries
4:30:06 PM {Exhibit} 19: Stone
4:33:01 PM Chair Dingfelder
4:34:05 PM Sen. Prozanski
4:34:33 PM Fast
4:35:08 PM Stone
4:35:20 PM Chair Dingfelder
4:36:07 PM Jim Welsh, Oregon Cattleman's Association
4:36:08 PM {Exhibit} 20: Welsh
4:37:51 PM Dan Eisenbeis, League of Oregon Cities
4:41:11 PM Mark Landauer, Government Affairs, Special District Association of Oregon
4:41:12 PM {Exhibit} 21: Landauer
4:41:33 PM Sen. Prozanski
4:42:33 PM Landauer
4:42:50 PM Chair Dingfelder
4:43:17 PM David Moskowitz, Native Fish Society
4:46:24 PM Chair Dingfelder
4:46:54 PM The following written testimony was submitted for the record without public testimony:
4:46:55 PM {Exhibit} 22: Evan Manvel, Legislative Affairs Director, Oregon Conservation Network
4:47:01 PM SB 788 - Public Hearing
4:47:07 PM Beth Herzog, Committee Administrator
4:47:10 PM {Exhibit} 23: Herzog
4:47:36 PM Chair Dingfelder
4:48:22 PM Leslie Bach, Director of Freshwater Programs, The Nature Conservancy
4:48:23 PM {Exhibit} 24: Bach
4:51:20 PM John DeVoe, Executive Director, WaterWatch of Oregon
4:51:21 PM {Exhibit} 25: DeVoe
4:52:44 PM Chair Dingfelder
4:53:26 PM Patrick Griffiths, Water Resources Coordinator, City of Bend
4:53:46 PM {Exhibit} 26: Griffiths
4:54:48 PM David Newton, President, Newton Consultants
4:55:53 PM {Exhibit} 27: Newton
4:58:19 PM Peggy Lynch, Natural Resources Coordinator, League of Women Voters
4:58:42 PM {Exhibit} 28: Lynch
5:02:50 PM David Filippi, partner, Stoel Rives LLP
5:02:55 PM {Exhibit} 29: Filippi
5:03:23 PM Chair Dingfelder
5:03:32 PM Niki Iverson, Water Resources Manager, City of Hillsboro, Joint Water Commission
5:04:19 PM {Exhibit} 30: Iverson
5:05:08 PM Lorna Stickel, Water Resources Planning Manager, Portland Water

Bureau
5:05:12 PM {Exhibit} 31: Stickel
5:06:17 PM Chair Dingfelder
5:06:50 PM Tom Wolf, Executive Director, Trout Unlimited
5:08:00 PM Chair Dingfelder
5:08:44 PM Curt Melcher, Deputy Director, Oregon Department of Fish & Wildlife
5:09:06 PM {Exhibit} 32: Melcher
5:09:54 PM Chair Dingfelder
5:10:21 PM Melcher
5:11:05 PM Rick Kepler, Water Program Manager, Oregon Department of Fish & Wildlife
5:12:00 PM Brenda Bateman, Senior Policy Coordinator, Water Resources Department
5:12:42 PM Chair Dingfelder
5:13:16 PM Kepler
5:13:49 PM Chair Dingfelder
5:14:04 PM Bateman
5:14:21 PM Chair Dingfelder
5:14:40 PM Bateman
5:15:05 PM Kipler
5:15:34 PM Chair Dingfelder
5:16:20 PM Sen. Boquist
5:16:36 PM Bateman
5:17:04 PM Sen. Boquist
5:17:20 PM Bateman
5:17:37 PM Melcher
5:17:47 PM Chair Dingfelder
5:18:35 PM Mark Landauer, Government Affairs, Special District Association of Oregon
5:19:02 PM {Exhibit} 33: Landauer
5:19:33 PM Dan Eisenbeis, League of Oregon Cities
5:21:18 PM Chair Dingfelder
5:21:36 PM Jeff Stone, Director of Government Relations, Oregon Association of Nurseries
5:21:48 PM {Exhibit} 34: Stone
5:22:55 PM David Moskowitz, Native Fish Society
5:25:15 PM Chair Dingfelder
5:25:19 PM Sen. Boquist
5:25:30 PM Chair Dingfelder
5:25:43 PM The following written testimony was submitted for the record without public testimony:
5:25:47 PM {Exhibit} 35: Jim Welsh, Oregon Cattlemen's Association
5:25:48 PM {Exhibit} 36: Evan Manvel, Legislative Affairs Director, Oregon Conservation Network
5:26:00 PM Meeting Adjourned

SENR**4/2/2009 3:04:17 PM**

- 3:04:42 PM** {Exhibit} 1: SB 79, -4 amendments, staff, 8 pp
3:12:20 PM {Exhibit} 2: SB 102, -2 amendments, staff, 31 pp
3:30:02 PM {Exhibit} 3: SB 513, -3 amendments, staff, 5 pp
3:32:42 PM {Exhibit} 4: SB 787, emailed testimony packet, staff, 14 pp
3:36:42 PM {Exhibit} 5: SB 787, written testimony, Patrick Griffiths, 2 pp
3:38:08 PM {Exhibit} 6: SB 787, written testimony, Mark Landauer, 2 pp
3:42:54 PM {Exhibit} 7: SB 787, written testimony, Lorna Stickel, 1 p
3:44:37 PM {Exhibit} 8: SB 787, written testimony, Peggy Lynch, 1 p
3:45:31 PM {Exhibit} 9: SB 787, written testimony, Anita Winkler, 2 pp
3:52:30 PM {Exhibit} 10: SB 787, written testimony, Jeff Stone, 3 pp
3:59:11 PM {Exhibit} 11: SB 787, written testimony, Niki Iverson, 7 pp
3:59:48 PM {Exhibit} 12: SB 787, water suppliers' guidebook, Niki Iverson, 169 pp
4:06:01 PM {Exhibit} 13: SB 787, written testimony, John DeVoe, 1 p
4:09:01 PM {Exhibit} 14: SB 787, written testimony, staff, 1 p
4:15:22 PM {Exhibit} 15: SB 740, emailed testimony packet, staff, 25 pp
4:16:31 PM {Exhibit} 16: SB 740, written testimony, John DeVoe, 1 p
4:20:04 PM {Exhibit} 17: SB 740, written testimony, Peggy Lynch, 1 p
4:21:12 PM {Exhibit} 18: SB 740, written testimony, Blair Nash, 2 pp
4:30:06 PM {Exhibit} 19: SB 740, written testimony, Jeff Stone, 3 pp
4:36:08 PM {Exhibit} 20: SB 740, written testimony, Jim Welsh, 1 p
4:41:12 PM {Exhibit} 21: SB 740, written testimony, Mark Landauer, 2 pp
4:46:55 PM {Exhibit} 22: SB 740, written testimony, Evan Manvel, 2 pp
4:47:10 PM {Exhibit} 23: SB 788, emailed testimony packet, staff, 17 pp
4:48:23 PM {Exhibit} 24: SB 788, written testimony, Leslie Bach, 2 pp
4:51:21 PM {Exhibit} 25: SB 788, written testimony, John DeVoe, 4 pp
4:53:46 PM {Exhibit} 26: SB 788, written testimony, Patrick Griffiths, 2 pp
4:55:53 PM {Exhibit} 27: SB 788, written testimony, David Newton, 3 pp
4:58:42 PM {Exhibit} 28: SB 788, written testimony, Peggy Lynch, 1 p
5:02:55 PM {Exhibit} 29: SB 788, written testimony, David Filippi, 3 pp
5:04:19 PM {Exhibit} 30: SB 788, written testimony, Niki Iverson, 2 pp
5:05:12 PM {Exhibit} 31: SB 788, written testimony, Lorna Stickel, 2 pp
5:09:06 PM {Exhibit} 32: SB 788, written testimony, Curt Melcher, 2 pp
5:19:02 PM {Exhibit} 33: SB 788, written testimony, Mark Landauer, 2 pp
5:21:48 PM {Exhibit} 34: SB 788, written testimony, Jeff Stone, 3 pp
5:25:47 PM {Exhibit} 35: SB 788, written testimony, Jim Welsh, 1 p
5:25:48 PM {Exhibit} 36: SB 788, written testimony, Evan Manvel, 2 pp
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