

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

April 23, 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**

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

**MEASURES/ISSUES HEARD:**   **SB 741 – Public Hearing**  
                                  **SB 740 – Work Session**  
                                  **SB 38 – Work Session**  
                                  **SB 763 – Work Session**  
                                  **SB 528 – Work Session**

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

**SENR**

**4/23/2009 3:06:00 PM**

**3:06:01 PM** Meeting Called to Order  
**3:06:03 PM** Chair Dingfelder  
**3:07:28 PM** SB 741 - Public Hearing  
**3:07:32 PM** Chair Dingfelder  
**3:07:35 PM** Beth Herzog, Committee Administrator  
**3:07:52 PM** Chair Dingfelder  
**3:09:00 PM** Mike Ahern, Commissioner, Jefferson County  
**3:11:18 PM** {Exhibit} 1: Ahern  
**3:11:47 PM** John Hatfield, Commissioner, Jefferson County  
**3:11:56 PM** {Exhibit} 2: Hatfield  
**3:13:41 PM** Wayne Fording, Commissioner, Jefferson County  
**3:15:57 PM** Chair Dingfelder  
**3:16:02 PM** Sen. Boquist  
**3:16:18 PM** Vice-Chair Atkinson  
**3:17:05 PM** Ahern  
**3:17:45 PM** Fording  
**3:18:21 PM** Ahern  
**3:18:41 PM** Sen. Boquist  
**3:18:58 PM** Chair Dingfelder  
**3:19:13 PM** Jeff Rasmussen, County Administrative Officer, Jefferson County  
**3:19:22 PM** {Exhibit} 3: Rasmussen  
**3:22:30 PM** Chair Dingfelder  
**3:22:36 PM** Rasmussen  
**3:23:42 PM** Chair Dingfelder  
**3:23:48 PM** Rasmussen  
**3:24:57 PM** David Allen, Jefferson County  
**3:26:18 PM** {Exhibit} 4: Allen  
**3:32:00 PM** Chair Dingfelder  
**3:32:07 PM** Allen  
**3:33:14 PM** Chair Dingfelder  
**3:33:17 PM** Vice-Chair Atkinson  
**3:33:51 PM** Rasmussen  
**3:34:20 PM** Vice-Chair Atkinson  
**3:34:40 PM** Allen  
**3:35:41 PM** Vice-Chair Atkinson  
**3:35:52 PM** Allen  
**3:36:13 PM** Chair Dingfelder  
**3:36:15 PM** Sen. Boquist  
**3:36:40 PM** Rasmussen

**3:36:52 PM** Chair Dingfelder  
**3:37:40 PM** Greg Macpherson, member, Land Conservation and Development Commission  
**3:40:30 PM** Chair Dingfelder  
**3:40:39 PM** {Exhibit} 5: Chair Dingfelder  
**3:40:55 PM** Richard Whitman, Director, Land Conservation and Development  
**3:40:59 PM** {Exhibit} 6: Whitman  
**4:00:03 PM** Chair Dingfelder  
**4:00:07 PM** Vice-Chair Atkinson  
**4:00:26 PM** Whitman  
**4:02:18 PM** Vice-Chair Atkinson  
**4:02:23 PM** Whitman  
**4:03:48 PM** Vice-Chair Atkinson  
**4:04:03 PM** Whitman  
**4:04:28 PM** Vice-Chair Atkinson  
**4:04:34 PM** Whitman  
**4:04:42 PM** Vice-Chair Atkinson  
**4:04:54 PM** Whitman  
**4:05:51 PM** Macpherson  
**4:06:33 PM** Vice-Chair Atkinson  
**4:07:10 PM** Whitman  
**4:09:03 PM** Sen. Boquist  
**4:10:31 PM** Whitman  
**4:12:52 PM** Chair Dingfelder  
**4:13:06 PM** Whitman  
**4:13:28 PM** Sen. Prozanski  
**4:13:45 PM** Whitman  
**4:13:49 PM** Sen. Prozanski  
**4:13:59 PM** Whitman  
**4:14:03 PM** Sen. Boquist  
**4:14:22 PM** Whitman  
**4:14:27 PM** Chair Dingfelder  
**4:15:28 PM** Whitman  
**4:16:32 PM** Chair Dingfelder  
**4:17:31 PM** Whitman  
**4:18:12 PM** Chair Dingfelder  
**4:19:06 PM** SB 740 - Work Session  
**4:19:14 PM** Beth Herzog, Committee Administrator  
**4:19:41 PM** {Exhibit} 7: Herzog  
**4:19:44 PM** MOTION: Sen. Prozanski moves SB 740 WITHOUT RECOMMENDATION & REFER to Ways & Means by prior reference  
**4:20:14 PM** VOTE: 3-2-0  
**4:20:26 PM** Ayes: Hass, Prozanski, Dingfelder; Nays: Atkinson, Boquist  
**4:20:35 PM** SB 38 - Work Session  
**4:20:37 PM** Beth Herzog, Committee Administrator

4:21:00 PM {Exhibit} 8: Herzog  
4:21:25 PM {Exhibit} 9: Herzog  
4:21:33 PM MOTION: Sen. Prozanski moves -1 amendments  
4:21:50 PM VOTE: 5-0-0  
4:21:51 PM Ayes: Atkinson, Boquist, Hass, Prozanski, Dingfelder  
4:21:52 PM MOTION: Sen. Prozanski moves SB 38 DO PASS as AMENDED  
4:22:07 PM Vice-Chair Atkinson  
4:22:12 PM Chair Dingfelder  
4:22:20 PM VOTE: 5-0-0  
4:22:25 PM Ayes: Atkinson, Boquist, Hass, Prozanski, Dingfelder  
4:22:30 PM CARRIER: SEN. DINGFELDER will lead discussion on the floor  
4:22:42 PM SB 763 - Work Session  
4:22:44 PM Beth Herzog, Committee Administrator  
4:22:59 PM {Exhibit} 10: Herzog  
4:23:05 PM {Exhibit} 11: Herzog  
4:23:22 PM Chair Dingfelder  
4:23:30 PM MOTION: Sen. Prozanski moves -2 amendments  
4:23:46 PM Sen. Boquist  
4:24:04 PM Chair Dingfelder  
4:24:08 PM VOTE: 5-0-0  
4:24:09 PM Ayes: Atkinson, Boquist, Hass, Prozanski, Dingfelder  
4:24:10 PM MOTION: Sen. Prozanski moves SB 763 DO PASS as AMENDED  
4:24:30 PM VOTE: 5-0-0  
4:24:31 PM Ayes: Atkinson, Boquist, Hass, Prozanski, Dingfelder  
4:24:33 PM CARRIER: SEN. SCHRADER will lead discussion on the floor  
4:24:52 PM SB 528 - Work Session  
4:24:59 PM Beth Herzog, Committee Administrator  
4:25:16 PM {Exhibit} 12: Herzog  
4:25:30 PM {Exhibit} 13: Herzog  
4:25:42 PM MOTION: Sen. Prozanski moves -7 amendments  
4:26:01 PM VOTE: 3-2-0  
4:26:08 PM Ayes: Hass, Prozanski, Dingfelder; Nays: Atkinson, Boquist  
4:26:40 PM SB 741 - Public Hearing  
4:27:58 PM Chair Dingfelder  
4:27:59 PM Hasina Squires, Dutch Pacific Resources  
4:31:07 PM {Exhibit} 14: Squires  
4:31:35 PM Stephen Pfeiffer, Land Use Attorney, Perkins Coie  
4:31:45 PM {Exhibit} 15: Pfeiffer  
4:35:20 PM Shane Lundgren, citizen, Camp Sherman, Oregon  
4:38:50 PM Chair Dingfelder  
4:39:05 PM Squires  
4:40:44 PM Chair Dingfelder  
4:40:59 PM Squires  
4:41:35 PM Chair Dingfelder  
4:41:37 PM Vice-Chair Atkinson  
4:41:54 PM Lundgren

**4:42:05 PM** Vice-Chair Atkinson  
**4:42:13 PM** Pfeiffer  
**4:42:41 PM** Vice-Chair Atkinson  
**4:42:47 PM** Chair Dingfelder  
**4:43:41 PM** Michael Mason, Confederated Tribes of the Warm Springs  
Reservation of Oregon  
**4:44:55 PM** {Exhibit} 16: Mason  
**4:47:19 PM** Vice-Chair Atkinson  
**4:47:29 PM** Mason  
**4:47:42 PM** Vice-Chair Atkinson  
**4:47:50 PM** Doug Hancock, citizen, Camp Sherman, Oregon  
**4:49:00 PM** {Exhibit} 17: Hancock  
**4:51:00 PM** Sen. Prozanski  
**4:51:06 PM** Hancock  
**4:51:20 PM** Dennis Chapman, citizen, Portland, Oregon  
**4:52:24 PM** {Exhibit} 18: Chapman  
**4:53:10 PM** Chair Dingfelder  
**4:53:50 PM** Sam Pfeiffer, citizen, Portland, Oregon  
**4:54:18 PM** {Exhibit} 19: Pfeiffer  
**4:55:28 PM** Jon Skidmore, Land Use Consultant, Skidmore Land Use Services  
**4:56:22 PM** {Exhibit} 20: Skidmore  
**4:58:18 PM** Chair Dingfelder  
**4:58:50 PM** Mike Eliason, Policy Manager, Association of Oregon Counties  
**5:00:05 PM** Tom Wolf, Executive Director, Trout Unlimited  
**5:02:28 PM** Gergory McClarren, President, Friends of the Metolius  
**5:04:10 PM** {Exhibit} 21: McClarren  
**5:05:50 PM** Chair Dingfelder  
**5:05:54 PM** Sen. Boquist  
**5:06:07 PM** McClarren  
**5:06:13 PM** Wolf  
**5:06:21 PM** Eliason  
**5:06:33 PM** Sen. Boquist  
**5:06:55 PM** McClarren  
**5:07:39 PM** Sen. Boquist  
**5:07:56 PM** Chair Dingfelder  
**5:08:30 PM** Erik Kancler, Executive Director, Central Oregon Landwatch  
**5:10:10 PM** Brock Howell, Land Use Advocate, Environment Oregon  
**5:13:29 PM** David Moskowitz, Native Fish Society and Water Watch of Oregon  
**5:17:05 PM** Vice-Chair Atkinson  
**5:18:00 PM** Howell  
**5:18:28 PM** Vice-Chair Atkinson  
**5:18:33 PM** Howell  
**5:18:40 PM** Vice-Chair Atkinson  
**5:18:46 PM** Howell  
**5:18:51 PM** Sen. Boquist  
**5:19:54 PM** Kancler

**5:20:26 PM** Moskowitz  
**5:20:56 PM** Howell  
**5:21:54 PM** Sen. Boquist  
**5:22:07 PM** Chair Dingfelder  
**5:22:39 PM** Wayne Fording, Commissioner, Jefferson County  
**5:23:30 PM** Chair Dingfelder  
**5:24:01 PM** Douglas Woodcock, Manager, Ground Water Hydrology Section,  
Oregon Water Resources Department  
**5:28:05 PM** Chair Dingfelder  
**5:28:52 PM** Woodcock  
**5:29:37 PM** Sen. Boquist  
**5:31:11 PM** Woodcock  
**5:32:40 PM** Chair Dingfelder  
**5:33:07 PM** Woodcock  
**5:33:21 PM** Chair Dingfelder  
**5:33:30 PM** Woodcock  
**5:34:00 PM** Chair Dingfelder  
**5:34:13 PM** Woodcock  
**5:35:42 PM** Chair Dingfelder  
**5:35:53 PM** Sen. Boquist  
**5:36:08 PM** Woodcock  
**5:36:30 PM** Chair Dingfelder  
**5:36:33 PM** The following written testimony was submitted for the record  
without public testimony:  
**5:36:35 PM** {Exhibit} 22: Carol Macbeth, Central Oregon Advocate, 1000  
Friends of Oregon  
**5:36:37 PM** {Exhibit} 23: Theodore Kulongoski, Governor, State of Oregon  
**5:36:54 PM** Meeting Adjourned

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**SENR**

**4/23/2009 3:06:00 PM**

- 3:11:18 PM** {Exhibit} 1: SB 741, written testimony, Mike Ahern, 95 pp
  - 3:11:56 PM** {Exhibit} 2: SB 741, written testimony, John Hatfield, 3 pp
  - 3:19:22 PM** {Exhibit} 3: SB 741, maps, Jeff Rasmussen, 5 pp
  - 3:26:18 PM** {Exhibit} 4: SB 741, written testimony, David Allen, 8 pp
  - 3:40:39 PM** {Exhibit} 5: SB 741, -2 amendment, staff, 2 pp
  - 3:40:59 PM** {Exhibit} 6: SB 741, written testimony, Richard Whitman, 20 pp
  - 4:19:41 PM** {Exhibit} 7: SB 740, emailed testimony packet, staff, 6 pp
  - 4:21:00 PM** {Exhibit} 8: SB 38, -1 amendment, staff, 1 p
  - 4:21:25 PM** {Exhibit} 9: SB 38, written testimony, Scott Bolton, 1 p
  - 4:22:59 PM** {Exhibit} 10: SB 763, -2 amendment, staff, 8 pp
  - 4:23:05 PM** {Exhibit} 11: SB 763, emailed testimony packet, staff, 10 pp
  - 4:25:16 PM** {Exhibit} 12: SB 528, -7 amendment, staff, 14 pp
  - 4:25:30 PM** {Exhibit} 13: SB 528, emailed testimony packet, staff, 4 pp
  - 4:31:07 PM** {Exhibit} 14: SB 741, written testimony, Hasina Squires, 5 pp
  - 4:31:45 PM** {Exhibit} 15: SB 741, -1 amendment, Stephen Pfeiffer, 4 pp
  - 4:44:55 PM** {Exhibit} 16: SB 741, written testimony, Michael Mason, 7 pp
  - 4:49:00 PM** {Exhibit} 17: SB 741, written testimony, Doug Hancock, 2 pp
  - 4:52:24 PM** {Exhibit} 18: SB 741, written testimony, Dennis Chapman, 2 pp
  - 4:54:18 PM** {Exhibit} 19: SB 741, written testimony, Sam Pfeiffer, 1 p
  - 4:56:22 PM** {Exhibit} 20: SB 741, written testimony, Jon Skidmore, 2 pp
  - 5:04:10 PM** {Exhibit} 21: SB 741, written testimony, Gregory McClarren, 1 p
  - 5:36:35 PM** {Exhibit} 22: SB 741, written testimony, Carol Macbeth, 1 p
  - 5:36:37 PM** {Exhibit} 23: SB 741, written testimony, Theodore Kulongoski, 4 pp
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