

# SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

February 02, 2012  
1:00 PM

Hearing Room C

**MEMBERS PRESENT:** Sen. Jackie Dingfelder, Chair  
Sen. Alan Olsen, Vice-Chair  
Sen. Mark Hass  
Sen. Floyd Prozanski  
Sen. Chuck Thomsen

**STAFF PRESENT:** Beth Patrino, Committee Administrator  
Sue Hampton, Committee Assistant

**MEASURES/ISSUES HEARD:** Organizational Meeting  
Adoption of Committee Rules  
SB 1510 – Public Hearing and Work Session  
SB 1511 – Public Hearing  
SB 1513 – Public Hearing

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## Recording Log

1:07:11 PM Meeting Called to Order by Chair Dingfelder  
1:07:12 PM Chair Dingfelder  
  
1:07:27 PM **Adoption of Committee Rules - Organizational Meeting**  
1:07:28 PM Chair Dingfelder  
1:08:01 PM Vice-Chair Olsen  
1:08:17 PM Sen. Hass  
1:08:32 PM Chair Dingfelder  
1:08:35 PM Sen. Thomsen  
1:09:03 PM Chair Dingfelder  
1:09:05 PM Sen. Prozanski  
1:09:19 PM {Exhibit} 1: Chair Dingfelder  
1:09:40 PM Beth Patrino, Committee Administrator  
1:09:57 PM MOTION: VICE CHAIR OLSEN MOVES THE ADOPTION OF THE  
COMMITTEE RULES  
1:10:11 PM VOTE: 5-0-0  
1:10:20 PM AYES: HASS, PROZANSKI, THOMSEN, OLSEN, DINGFELDER  
  
1:10:29 PM **SB 1510 - Public Hearing**  
1:10:31 PM Chair Dingfelder  
1:10:39 PM Beth Patrino, Committee Administrator

1:11:15 PM Chair Dingfelder  
1:12:09 PM {Exhibit} 2: Ed Bowles, Fish Division Administrator, Department of Fish and Wildlife  
1:18:55 PM Chair Dingfelder  
1:19:41 PM Sen. Betsy Johnson, Senate District 16  
1:22:58 PM Sen. Jeff Kruse, Senate District 1  
1:27:22 PM Co-Speaker Arnie Roblan, House District 9  
1:29:48 PM Rep. Jean Cowan, House District 10  
1:31:43 PM Chair Dingfelder  
1:32:56 PM Vice-Chair Olsen  
1:32:59 PM Chair Dingfelder  
1:33:09 PM Vice-Chair Olsen  
1:33:25 PM Sen. Kruse  
1:34:08 PM Vice-Chair Olsen  
1:34:16 PM Sen. Johnson  
1:35:51 PM Co-Speaker Roblan  
1:35:52 PM Vice-Chair Olsen  
1:36:12 PM Rep. Cowan  
1:38:07 PM {Exhibit} 3: Sen. Johnson  
1:39:43 PM Chair Dingfelder  
1:39:49 PM Sen. Kruse  
1:41:11 PM Chair Dingfelder  
1:42:50 PM Rep. Komp  
1:45:54 PM {Exhibit} 4 - 5: Bernie Bjork, Lower Columbia Alliance for Sustainable Fisheries  
1:48:54 PM Terry Thompson, Lincoln County Commissioner  
1:52:32 PM Doug Creasy, Salmon Trawler, Garibaldi, Oregon  
1:55:19 PM Chair Dingfelder  
1:55:29 PM Vice-Chair Olsen  
1:55:36 PM Thompson  
1:55:40 PM Vice-Chair Olsen  
1:55:45 PM Thompson  
1:56:26 PM Vice-Chair Olsen  
1:56:29 PM Thompson  
1:56:54 PM Chair Dingfelder  
1:57:40 PM Barbara Wilson, Beaverton, Oregon  
2:01:43 PM {Exhibit} 6: Susan Allen, Director, Our Ocean  
2:03:40 PM Vice-Chair Olsen  
2:03:48 PM Allen  
2:03:49 PM Vice-Chair Olsen  
2:04:18 PM Allen  
2:05:26 PM Vice-Chair Olsen  
2:05:37 PM Allen  
2:05:53 PM Chair Dingfelder  
2:07:28 PM {Exhibit} 7: Bob Horning, North Plains, Oregon  
2:08:05 PM Sen. Prozanski

- 2:08:19 PM Horning
- 2:10:21 PM {Exhibit} 8: Linda Buell, Fisherman's Advisory Committee of Tillamook
- 2:13:55 PM Chair Dingfelder
- 2:13:56 PM The following written testimony was submitted for the record without public testimony:
- 2:13:57 PM {Exhibit} 9: A.D."Gus" Meyers, Tillamook, Oregon
- 2:13:58 PM {Exhibit} 10: Gabriel Scheer, marine biologist, Oregon
- 2:13:59 PM {Exhibit} 11: John Holloway, Recreational Fishing Alliance
- 2:14:00 PM {Exhibit} 12: Laura Schmidt, Portland, Oregon
- 2:14:01 PM {Exhibit} 13: Eric Clough, Cape Arago Audubon Society of Coos Bay
- 2:14:02 PM {Exhibit} 14: Adele Dawson, Oregon
- 2:14:03 PM {Exhibit} 15: Tim Josi, Board of Commissioners for Tillamook County
- 2:14:04 PM {Exhibit} 16: Bob Rees, Cascade Head Community
- 2:14:05 PM {Exhibit} 17: Lon Otterby, Corvallis, Oregon
- 2:14:06 PM {Exhibit} 18: Ben Enticknap, Oceana
- 2:14:07 PM {Exhibit} 19: Alexis Howell-Kubler, high school biology teacher, Portland, Oregon
- 2:14:08 PM {Exhibit} 20: Gus Gates, Surfrider Foundation
- 2:14:09 PM {Exhibit} 21: Charlotte Mills, member, Cape Perpetua to Hecta Head Team, Tidewater, Oregon
- 2:14:10 PM {Exhibit} 22: Dave Lacey, Gold Beach, Oregon
- 2:14:11 PM {Exhibit} 23: Karin Radtke, Yachats, Oregon
- 2:14:12 PM {Exhibit} 24: Willard Rodgers, Eugene, Oregon
- 2:14:13 PM {Exhibit} 25: Peter and Susan Goodman, Albany, Oregon
- 2:14:14 PM {Exhibit} 26: Debra Higbee-Sudyka, Corvallis, Oregon
- 2:14:15 PM {Exhibit} 27: Meg Ruby, Portland, Oregon
- 2:14:16 PM **SB 1510 - Work Session**
- 2:14:21 PM MOTION: SEN. PROZANSKI MOVES SB 1510 DO PASS
- 2:14:28 PM Chair Dingfelder
- 2:14:32 PM Vice-Chair Olsen
- 2:15:35 PM Sen. Prozanski
- 2:16:40 PM Vice-Chair Olsen
- 2:17:05 PM Chair Dingfelder
- 2:18:08 PM VOTE: 5-0-0
- 2:18:12 PM AYES: HASS, PROZANSKI, THOMSEN, OLSEN, DINGFELDER
- 2:18:13 PM CARRIER: CHAIR DINGFELDER WILL LEAD THE DISCUSSION ON THE FLOOR
- 2:19:27 PM **SB 1511 - Public Hearing**
- 2:19:47 PM Beth Patrino, Committee Administrator
- 2:20:40 PM Chair Dingfelder
- 2:21:27 PM {Exhibit} 28: Sara Vickerman, Defenders of Wildlife
- 2:21:51 PM {Exhibit} 29: John McDonald, Chair, Tualatin Soil and Water Conservation District
- 2:25:15 PM {Exhibit} 30: John Miller, President, Wildwood/Mahonia

2:28:01 PM Chair Dingfelder  
2:28:02 PM Vice-Chair Olsen  
2:28:10 PM McDonald  
2:28:12 PM Vice-Chair Olsen  
2:28:23 PM McDonald  
2:28:42 PM Vice-Chair Olsen  
2:29:03 PM McDonald  
2:29:27 PM Vice-Chair Olsen  
2:30:03 PM McDonald  
2:31:15 PM Vice-Chair Olsen  
2:31:58 PM Vickerman  
2:33:24 PM McDonald  
2:34:30 PM Chair Dingfelder  
2:34:42 PM McDonald  
2:34:45 PM Chair Dingfelder  
2:35:07 PM McDonald  
2:35:51 PM Chair Dingfelder  
2:35:58 PM Miller  
2:36:18 PM Chair Dingfelder  
2:36:55 PM Richard Kosesan, Water for Life  
2:38:49 PM Chair Dingfelder  
2:38:50 PM Kosesan  
2:39:02 PM {Exhibit} 31: Jim Myron, WaterWatch of Oregon  
2:40:52 PM Roger Beyer, Oregon Seed Council  
2:41:55 PM Chair Dingfelder  
2:41:59 PM Sen. Prozanski  
2:42:39 PM Chair Dingfelder  
2:42:47 PM Vickerman  
2:43:10 PM Chair Dingfelder  
2:43:43 PM Jim Welsh, Oregon Cattlemen's Association  
2:45:35 PM {Exhibit} 32: Jon Chandler, Home Builders Association  
2:46:06 PM {Exhibit} 33: Emily Ackland, Association of Oregon Counties  
2:46:41 PM Chair Dingfelder  
2:46:44 PM Sen. Thomsen  
2:47:08 PM Ackland  
2:47:15 PM Chair Dingfelder  
2:47:22 PM Vickerman  
2:48:59 PM Chair Dingfelder  
2:49:01 PM Vice-Chair Olsen  
2:50:13 PM Vickerman  
2:50:46 PM Chair Dingfelder  
2:50:47 PM The following written testimony was submitted for the record without public testimony:  
2:50:48 PM {Exhibit} 34: Kate Brown, Secretary of State, Oregon  
2:50:49 PM {Exhibit} 35: Community Restoration Network, Lake Oswego, Oregon  
2:50:50 PM {Exhibit} 36: Jeff Stone, Executive Director, Oregon Nurseries Association

- 2:50:51 PM** {Exhibit} 37: Michael Wilson, Natural Resources Division Manager, The Confederated Tribes of the Grand Ronde Community of Oregon
- 2:50:52 PM** {Exhibit} 38: Sally Duncan, Policy Research Director, Institute for Natural Resources, Oregon State University
- 2:50:53 PM** {Exhibit} 39: Hal Salwasser, Oregon State University
- 2:50:54 PM** {Exhibit} 40: Jennifer Allen, Ph.D., Acting Director, Institute for Sustainable Solutions
- 2:50:55 PM** {Exhibit} 41: Tom Martin, President and Chief Executive Officer, American Forest Foundation
- 2:50:56 PM** {Exhibit} 42: Brent Davies, Director, Forests and Watersheds, Ecotrust
- 2:50:57 PM** {Exhibit} 43: Joe Whitworth, President, The Freshwater Trust
- 2:50:58 PM** {Exhibit} 44: Paula Swedeen, Director of Ecosystem Services, The Pacific Forest Trust
- 2:50:59 PM** {Exhibit} 45: Jeannette Allan, Climate Solutions
- 2:51:00 PM** {Exhibit} 46: Bob Van Dyk, Forest Policy Manager, Wild Salmon Center
- 2:51:01 PM** {Exhibit} 47: Bobby Cochran, Executive Director, Willamette Partnership
- 2:51:02 PM** {Exhibit} 48: Angus Duncan, President, Bonneville Environmental Foundation
- 2:51:03 PM** {Exhibit} 49: Dick Pederson, Director, Department of Environmental Quality
- 2:51:04 PM** {Exhibit} 50: Susan Anderson, Director, Bureau of Planning and Sustainability
- 2:51:05 PM** {Exhibit} 51: Tom Imeson, Public Affairs Director, Port of Portland
- 2:51:06 PM** {Exhibit} 52: Bill Gaffi, General Manager, Clean Water Services
- 2:51:07 PM** {Exhibit} 53: Richard M. Glick, Davis Wright Tremaine, LLP
- 2:51:08 PM** {Exhibit} 54: Tom Lindley, Perkins Coie
- 2:51:09 PM** {Exhibit} 55: Kemper M. McMaster, MKM Kemper Consulting, LLC
- 2:51:10 PM** {Exhibit} 56: Kevin Halsey, Parametrix
- 2:51:11 PM** {Exhibit} 57: Peter D. Kratz, Executive Vice President, Operations, Harry & David
- 2:51:12 PM** {Exhibit} 58: Duncan Wyse, President, Oregon Business Council
- 2:51:13 PM** {Exhibit} 59: Ty Montgomery, Managing Director, The Other Firm, LLC
- 2:51:14 PM** {Exhibit} 60: Wayne White, Director of Business Development, Wildlands, Inc.
- 2:51:15 PM** {Exhibit} 61: Annabelle Jaramillo, Commissioner, Benton County
- 2:51:17 PM** {Exhibit} 62: Jerry Nicolescu, Executive Director, Oregon Association of Conservation Districts
- 2:51:18 PM** {Exhibit} 63: Catherine MacDonald, Director of Conservation Programs, The Nature Conservancy
- 2:51:19 PM** {Exhibit} 64: Martin Goebel, President, Sustainable Northwest
- 2:51:21 PM** **SB 1513 - Public Hearing**
- 2:51:22 PM** Chair Dingfelder
- 2:51:23 PM** Beth Patrino, Committee Administrator
- 2:51:44 PM** David Pilz, The Freshwater Trust
- 2:52:51 PM** {Exhibit} 65: Tony Malmberg, rancher, Union County; Oregon and Flow

Restoration Project Manager, The Freshwater Trust

- 2:57:28 PM** Chair Dingfelder  
**2:57:52 PM** Sen. Thomsen  
**2:58:00 PM** Malmberg  
**2:58:14 PM** Sen. Thomsen  
**2:58:44 PM** Pilz  
**2:59:32 PM** Chair Dingfelder  
**2:59:37 PM** Sen. Thomsen  
**2:59:41 PM** Chair Dingfelder  
**2:59:47 PM** Vice-Chair Olsen  
**3:00:12 PM** Mahlberg  
**3:00:35 PM** Vice-Chair Olsen  
**3:00:42 PM** Pilz  
**3:00:57 PM** Chair Dingfelder  
**3:00:58 PM** Pilz  
**3:01:06 PM** Vice-Chair Olsen  
**3:01:23 PM** Pilz  
**3:01:58 PM** Chair Dingfelder  
**3:01:59 PM** The following written testimony was submitted for the record without public testimony:  
**3:02:00 PM** {Exhibit} 66: Erik Kancler, Network of Oregon Watershed Councils  
**3:02:01 PM** {Exhibit} 67: Ted Heisler, Executive Director, Deschutes River Conservancy  
**3:02:02 PM** {Exhibit} 68: Jim Myron, WaterWatch  
**3:02:11 PM** Meeting Adjourned by Chair Dingfelder

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### Exhibit Summary

- 1:09:19 PM** {Exhibit} 1: Adoption of Committee Rules, rules, staff, 4 pp  
**1:12:09 PM** {Exhibit} 2: SB 1510, PowerPoint presentation, *SB 1510 Marine Reserves*, Ed Bowles, 6 pp  
**1:38:07 PM** {Exhibit} 3: SB 1510, written testimony of Port of Garibaldi, Sen. Johnson, 1 p  
**1:45:54 PM** {Exhibit} 4: SB 1510, written testimony and maps, Bernie Bjork, 4 pp  
**1:45:54 PM** {Exhibit} 5: SB 1510, written testimony of Steve Bodner, Bernie Bjork, 3 pp  
**2:01:43 PM** {Exhibit} 6: SB 1510, written testimony, Susan Allen, 2 pp  
**2:07:28 PM** {Exhibit} 7: SB 1510, written testimony, Bob Horning, 14 pp  
**2:10:21 PM** {Exhibit} 8: SB 1510, written testimony, Linda Buell, 2 pp  
**2:13:57 PM** {Exhibit} 9: SB 1510, written testimony, A.D."Gus" Meyers, 2 pp  
**2:13:58 PM** {Exhibit} 10: SB 1510, written testimony, Gabriel Scheer, 1 p  
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**2:51:17 PM** {Exhibit} 62: SB 1511, written testimony, Jerry Nicolescu, 1 p  
**2:51:18 PM** {Exhibit} 63: SB 1511, written testimony, Catherine MacDonald, 1 p  
**2:51:19 PM** {Exhibit} 64: SB 1511, written testimony, Martin Goebel, 1 p  
**2:52:51 PM** {Exhibit} 65: SB 1513, PowerPoint *presentation, Split Season Leasing of Water Rights – A case study: Union Oregon*, Tony Malmberg, 5 pp  
**3:02:00 PM** {Exhibit} 66: SB 1513, written testimony, Erik Kancler, 1 p  
**3:02:01 PM** {Exhibit} 67: SB 1513, written testimony, Ted Heisler, 2 pp  
**3:02:02 PM** {Exhibit} 68: SB 1513, written testimony, Jim Myron, 1 p
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