

# SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

April 16, 2013  
3:00 PM

Hearing Room F

**MEMBERS PRESENT:** Sen. Jackie Dingfelder, Chair  
Sen. Alan Olsen, Vice-Chair  
Sen. Alan Bates  
Sen. Bill Hansell  
Sen. Mark Hass

**STAFF PRESENT:** Beth Reiley, Committee Administrator  
Jennifer Lutman, Committee Assistant

**MEASURES/ISSUES HEARD:** SB 217 – Public Hearing  
SB 846 – Public Hearing

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## Recording Log

**3:05:44 PM** Meeting Called to Order by Chair Dingfelder

**3:06:25 PM** **SB 217-Public Hearing**

**3:06:30 PM** {Exhibit} 1: Beth Reiley, Committee Administrator

**3:06:56 PM** Chair Dingfelder

**3:07:38 PM** {Exhibit} 2-3: Phil Ward, Director, Oregon Water Resources Department

**3:20:25 PM** Chair Dingfelder

**3:20:36 PM** Richard Whitman, Natural Resources Policy Advisor, Governor's Office

**3:24:43 PM** Chair Dingfelder

**3:24:48 PM** Vice-Chair Olsen

**3:25:01 PM** Ward

**3:26:06 PM** Vice-Chair Olsen

**3:26:10 PM** Ward

**3:26:17 PM** Vice-Chair Olsen

**3:26:20 PM** Ward

**3:26:40 PM** Vice-Chair Olsen

**3:27:18 PM** Ward

**3:27:34 PM** Chair Dingfelder

**3:27:55 PM** Vice-Chair Olsen

**3:28:23 PM** Ward

**3:28:37 PM** Chair Dingfelder

**3:29:07 PM** Sen. Chuck Thomsen, Senate District 26

**3:31:01 PM** Chair Dingfelder

**3:31:21 PM** Sen. Thomsen

**3:32:19 PM** Chair Dingfelder

3:32:59 PM {Exhibit} 4: Blaine Nofziger, Oregon farmer  
3:35:48 PM Chair Dingfelder  
3:35:55 PM {Exhibit} 5: David Baker, Oregon farmer  
3:46:59 PM Chair Dingfelder  
3:47:05 PM Barry Bushue, Oregon farmer; President, Oregon Farm Bureau  
3:49:42 PM Chair Dingfelder  
3:49:46 PM Vice-Chair Olsen  
3:49:52 PM Baker  
3:50:46 PM Vice-Chair Olsen  
3:50:52 PM Nofziger  
3:51:16 PM Vice-Chair Olsen  
3:51:19 PM Nofziger  
3:51:23 PM Baker  
3:51:28 PM Nofziger  
3:51:30 PM Chair Dingfelder  
3:51:33 PM Sen. Hansell  
3:51:46 PM Bushue  
3:51:50 PM Chair Dingfelder  
3:52:51 PM {Exhibit} 6: Teresa Huntsinger, Program Director for Clean & Plentiful  
Water, Oregon Environmental Council  
3:55:31 PM {Exhibit} 7: Kimberley Priestley, WaterWatch of Oregon  
3:59:43 PM Christy Splitt, Oregon Conservation Network  
4:02:41 PM Chair Dingfelder  
4:02:44 PM Sen. Hansell  
4:02:48 PM Splitt  
4:02:50 PM Sen. Hansell  
4:03:59 PM Splitt  
4:05:10 PM Sen. Hansell  
4:05:11 PM Splitt  
4:05:14 PM Chair Dingfelder  
4:05:18 PM Vice-Chair Olsen  
4:05:26 PM Splitt  
4:05:30 PM Vice-Chair Olsen  
4:05:50 PM Splitt  
4:06:27 PM Chair Dingfelder  
4:06:28 PM Huntsinger  
4:06:32 PM Vice-Chair Olsen  
4:07:09 PM Huntsinger  
4:08:12 PM Chair Dingfelder  
4:08:16 PM Sen. Hansell  
4:08:32 PM Priestley  
4:09:15 PM Chair Dingfelder  
4:09:47 PM Blake Rowe, Chief Executive Officer, Oregon Wheat Grower's League  
4:11:33 PM Chair Dingfelder  
4:11:36 PM {Exhibit} 8: Keith Nantz, General Manager, Dillon Land and Cattle  
Company

- 4:14:01 PM** Chair Dingfelder  
**4:14:06 PM** Richard Kosesan, Water for Life  
**4:18:33 PM** Chair Dingfelder  
**4:19:19 PM** Tom Wolf, Chair, Oregon Council of Trout Unlimited  
**4:23:56 PM** Chair Dingfelder  
**4:24:09 PM** Jeff Stone, Executive Director, Oregon Association of Nurseries  
**4:25:24 PM** Chair Dingfelder  
**4:25:33 PM** Jim Welsh, Oregon Cattlemen's Association  
**4:27:36 PM** Chair Dingfelder  
**4:27:38 PM** Tracy Rutten, League of Oregon Cities  
**4:28:44 PM** Chair Dingfelder  
**4:29:01 PM** Vice-Chair Olsen  
**4:29:27 PM** Chair Dingfelder  
**4:29:32 PM** Wolf  
**4:29:53 PM** Vice-Chair Olsen  
**4:29:55 PM** Chair Dingfelder  
**4:30:09 PM** Roger Beyer, Oregon Seed Council; Oregon Dairy Farmers Association; Oregon Blueberry Commission  
**4:30:34 PM** Chair Dingfelder  
**4:30:37 PM** {Exhibit} 9-10: Peggy Lynch, League of Women Voters of Oregon  
**4:31:56 PM** Chair Dingfelder  
**4:32:01 PM** {Exhibit} 11: witness registration  
**4:32:02 PM** The following written testimony is submitted for the record without public testimony:  
**4:32:03 PM** {Exhibit} 12: Wallace Butler, Ontario resident  
**4:32:04 PM** {Exhibit} 13: Mark Dickman, Dickman Farms Inc.  
**4:32:05 PM** {Exhibit} 14: Dan Eisenbeis, State Government Relations Manager, City of Portland  
**4:32:06 PM** {Exhibit} 15: Bob and Diane Elder, Palsley residents  
**4:32:07 PM** {Exhibit} 16: John Engeliem, Dallas farmer  
**4:32:08 PM** {Exhibit} 17-19: Ron Gibson, Interim Chairman, Jefferson Mining District  
**4:32:10 PM** {Exhibit} 20: Larry Haney, Halfway resident  
**4:32:10 PM** {Exhibit} 21: Jerek Hodge, Oregon resident  
**4:32:10 PM** {Exhibit} 22: Ken and Pat Holliday, Holliday Land and Livestock Inc.  
**4:32:10 PM** {Exhibit} 23: Beverly Howe, Wil Howe Ranch  
**4:32:10 PM** {Exhibit} 24: Jim Hubbard, Oregon resident  
**4:32:10 PM** {Exhibit} 25: Ryan Hukill, Hukill's Inc.  
**4:32:10 PM** {Exhibit} 26: Kenneth and Sheri Jensen, Oregon farmers  
**4:32:10 PM** {Exhibit} 27: Addison Johnson, Baker City resident  
**4:32:10 PM** {Exhibit} 28: Jason Kehrberg, Grant Soil and Water Conservation District  
**4:32:10 PM** {Exhibit} 29: Jan Kerns, Kerns Rainbow Ranch Inc.  
**4:32:10 PM** {Exhibit} 30: Douglas Kraemer, Berries Northwest  
**4:32:10 PM** {Exhibit} 31: Pat Larson, Secretary, Union County Cattlemen  
**4:32:10 PM** {Exhibit} 32: Monique Lopez, Policy Coordinator, Oregon Water Resources Congress  
**4:32:10 PM** {Exhibit} 33: Ross and Kelly McGarva, McGarva Ranch

4:32:10 PM {Exhibit} 34: Joni Mogstad, Eugene resident  
4:32:10 PM {Exhibit} 35: Ron Morell, Ontario resident  
4:32:10 PM {Exhibit} 36: Louise Raven, Halfway resident  
4:32:10 PM {Exhibit} 37: Ed Renk, InFaith  
4:32:10 PM {Exhibit} 38: Carrie Simmons, Culver resident  
4:32:10 PM {Exhibit} 39: Smitty, Oregon resident  
4:32:10 PM {Exhibit} 40: Jill Toevs, Hines resident

4:32:15 PM **SB 846-Public Hearing**

4:32:25 PM Sen. Hansell  
4:35:24 PM Chair Dingfelder  
4:36:07 PM Dennis Doherty, Commissioner, Umatilla County  
4:40:12 PM Chair Dingfelder  
4:40:14 PM Richard Whitman, Natural Resources Policy Advisor, Governor's Office  
4:41:47 PM Chair Dingfelder  
4:41:54 PM Whitman  
4:42:42 PM Chair Dingfelder  
4:43:03 PM Whitman  
4:44:24 PM Chair Dingfelder  
4:44:46 PM Whitman  
4:44:55 PM Chair Dingfelder  
4:45:04 PM Whitman  
4:45:07 PM Chair Dingfelder  
4:45:09 PM Vice-Chair Olsen  
4:45:20 PM Doherty  
4:45:43 PM Vice-Chair Olsen  
4:45:48 PM Chair Dingfelder  
4:45:51 PM Doherty  
4:45:53 PM Vice-Chair Olsen  
4:45:54 PM Chair Dingfelder  
4:46:17 PM {Exhibit} 41-42: Kimberley Priestley, WaterWatch of Oregon  
4:48:53 PM Chair Dingfelder  
4:48:59 PM Priestley  
4:51:18 PM Chair Dingfelder  
4:51:21 PM Priestley  
4:52:00 PM Chair Dingfelder  
4:52:08 PM {Exhibit} 43: Teresa Huntsinger, Program Director for Clean & Plentiful Water, Oregon Environmental Council  
4:53:52 PM Chair Dingfelder  
4:53:53 PM Tom Wolf, Chair, Oregon Council of Trout Unlimited  
4:54:20 PM Chair Dingfelder  
4:54:45 PM David Pilz, The Freshwater Trust  
4:55:24 PM Chair Dingfelder  
4:55:26 PM Pilz  
4:55:52 PM Chair Dingfelder  
4:55:55 PM Bill Kluting, Carpenters Industrial Council

4:56:43 PM Chair Dingfelder  
4:56:45 PM Mike Sullivan, Association of Western Pulp and Paper Workers  
4:57:37 PM Chair Dingfelder  
4:57:59 PM Beth Reiley, Committee Administrator  
4:58:03 PM Chair Dingfelder  
4:58:16 PM J.R. Cook, Northeast Oregon Water Association  
4:58:24 PM Chair Dingfelder  
4:58:32 PM Cook  
5:02:52 PM Chair Dingfelder  
5:03:04 PM Cook  
5:03:23 PM Chair Dingfelder  
5:03:28 PM Cook  
5:03:30 PM Chair Dingfelder  
5:04:06 PM Reiley  
5:04:10 PM Chair Dingfelder  
5:04:11 PM {Exhibit} 44: witness registration  
5:04:12 PM The following written testimony is submitted for the record without public testimony:  
5:04:13 PM {Exhibit} 45: Michael Garrity, American Rivers  
5:04:30 PM Meeting Adjourned by Chair Dingfelder

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### Exhibit Summary

3:06:30 PM {Exhibit} 1: SB 217, -1 amendments, staff, 3 pp  
3:07:38 PM {Exhibit} 2: SB 217, PowerPoint presentation, *Water Resources Department Testimony – SB 217*, Phil Ward, 4 pp  
3:07:38 PM {Exhibit} 3: SB 217, written testimony, Phil Ward, 2 pp  
3:32:59 PM {Exhibit} 4: SB 217, written testimony and images, Blaine Nofziger, 5 pp  
3:35:55 PM {Exhibit} 5: SB 217, written testimony, David Baker, 5 pp  
3:52:51 PM {Exhibit} 6: SB 217, written testimony, Teresa Huntsinger, 2 pp  
3:55:31 PM {Exhibit} 7: SB 217, written testimony, Kimberley Priestley, 2 pp  
4:11:36 PM {Exhibit} 8: SB 217, written testimony, Keith Nantz, 2 pp  
4:30:37 PM {Exhibit} 9: SB 217, written testimony, Peggy Lynch, 1 p  
4:30:37 PM {Exhibit} 10: SB 217, report, Peggy Lynch, 8 pp  
4:32:01 PM {Exhibit} 11: SB 217, witness registration, staff, 2 pp  
4:32:03 PM {Exhibit} 12: SB 217, written testimony, Wallace Butler, 1 p  
4:32:04 PM {Exhibit} 13: SB 217, written testimony, Mark Dickman, 2 pp  
4:32:05 PM {Exhibit} 14: SB 217, written testimony of David Shaff, Dan Eisenbeis, 1 p  
4:32:06 PM {Exhibit} 15: SB 217, written testimony, Bob and Diane Elder, 1 p  
4:32:07 PM {Exhibit} 16: SB 217, written testimony, John Engelen, 1 p  
4:32:08 PM {Exhibit} 17: SB 217, written information, Ron Gibson, 10 pp  
4:32:09 PM {Exhibit} 18: SB 217, written testimony, Ron Gibson, 17 pp  
4:32:10 PM {Exhibit} 19: SB 217, memorandum, Ron Gibson, 4 pp  
4:32:10 PM {Exhibit} 20: SB 217, written testimony, Larry Haney, 1 p  
4:32:10 PM {Exhibit} 21: SB 217, written testimony, Jerek Hodge, 1 p  
4:32:10 PM {Exhibit} 22: SB 217, written testimony, Ken and Pat Holliday, 1 p

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4:32:10 PM {Exhibit} 28: SB 217, written testimony, Jason Kehrberg, 2 pp  
4:32:10 PM {Exhibit} 29: SB 217, written testimony, Jan Kerns, 2 pp  
4:32:10 PM {Exhibit} 30: SB 217, written testimony, Douglas Krahmer, 1 p  
4:32:10 PM {Exhibit} 31: SB 217, written testimony, Pat Larson, 1 p  
4:32:10 PM {Exhibit} 32: SB 217, written testimony of April Snell, Monique Lopez, 2 pp  
4:32:10 PM {Exhibit} 33: SB 217, written testimony, Ross and Kelly McGarva, 1 p  
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4:32:10 PM {Exhibit} 40: SB 217, written testimony, Jill Toevs, 1 p  
4:46:17 PM {Exhibit} 41: SB 846, written testimony, Kimberley Priestley, 5 pp  
4:46:17 PM {Exhibit} 42: SB 846, -2 amendments, Kimberley Priestley, 3 pp  
4:52:08 PM {Exhibit} 43: SB 846, written testimony, Teresa Huntsinger, 2 pp  
5:04:11 PM {Exhibit} 44: SB 846, witness registration, staff, 2 pp  
5:04:13 PM {Exhibit} 45: SB 846, written testimony, Michael Garrity, 2 pp