

**Testimony on House Bills 2705, 2706 and 2707 before the
House Committee on Energy and Environment**

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Thank you for the opportunity to present testimony on House Bills 2705, 2706 and 2707. My name is Chrysten Lambert. I am the Director of Trout Unlimited's Oregon Water Project. Trout Unlimited (TU) is the largest conservation organization in the country and is dedicated to the conservation of coldwater fishes, such as trout and salmon, and their habitats. In Oregon, TU has a full-time staff of 10 working across the state in coordination with our over 3,000 members. The Oregon Water Project works with ranches, farms and agencies to address water needs for both the environment and agriculture throughout Oregon with an emphasis in the Upper Klamath and Rogue Basins.

House Bill 2705 would require measurement and annual reporting of all diversions of water after 2020; HB 2706 would impose an annual water management fee on water right authorizations (excluding domestic wells); and HB 2707 would appropriate general fund dollars for ground water investigation and study. Trout Unlimited supports all three bills and offers the following comments.

One of the many challenges facing Oregon as it adapts to climate change, population growth and increasing drought conditions is the lack of a consistent, comprehensive, and accurate estimate of actual surface water and groundwater use. This is not conducive to sustainable management. The recent drought and projections for increased frequency of such events highlight the need for Oregon to have current, accurate information on how much water is being used throughout the State. An increased understanding of water use through more accurate measurement will result in many benefits to a diverse range of stakeholders including improved water rights administration, improved understanding of available water supplies, better means to protect senior water rights and ability to efficiently manage and use water during times of drought. Having this understanding is also critical for ensuring the adequate protection of fishery resources. Watersheds with little or inaccurate information on water use and availability are susceptible to over-allocation, which often leads to inadequate instream flows for fish.

Trout Unlimited supports HB 2705 because sustainable water management requires accurate data on water diversion and use. TU understands that there may be concerns related to the compliance cost to water users. This is legitimate concern but not unsolvable. Many other states have implemented similar legislation and have identified various mechanisms to help address this issue including cost-share programs, prioritization exercises and longer compliance periods

for certain users. In TUs experience working with landowners throughout the West, we have found that water use information is particularly helpful to water users as they consider the costs and benefits of potential efficiency investments and/or water right changes (such as leasing). We need the tools to prioritize investments in our water infrastructure to assure limited public and private dollars are spent on improvements that effectively meet our water demands, and benefit our economy. Small investments in monitoring today will reap large benefits in the future.

For example, TU is currently implementing two infrastructure improvement projects (funded in part through Oregon Water Resources Department (OWRD) and Oregon Watershed Enhancement Board) on very large private diversions. In both cases, the lack of information on actual water use in recent years impeded those water users in making informed decisions about their project design and future water needs. We needed to gather that information before we could begin to design the project, and in each case monitoring facilitated increased voluntary water conservation and improved instream flows, all while sustaining the same levels of production on the ranches. In the end, monitoring water use allows the irrigator to better manage their own resources, providing significant public benefit in the process. The information further allows state funded grant programs to allocate funding towards the highest value projects.

TU expects this issue to receive significant discussion in a workgroup developed for these bills and looks forward to contributing to the discussion, particularly around the topic of making these requirements feasible for water users with respect to both cost and technology.

Trout Unlimited supports HB 2706 which imposes an annual management fee on water use authorizations. This bill reflects the reality that water right management costs continue to accrue after a water right has been issued. This fee will cover management activities that directly benefit water users. Again, an annual water fee is common practice in other states and those states provide examples for addressing potential implementation issues such as identifying the owner of a water right or handling fees in a fair way for multiple or high volume water rights. We look forward to engaging in discussions around this bill as well.

Finally, Trout Unlimited supports HB 2707 which allocates general fund money to groundwater investigation and study. Many rivers in Oregon are over-appropriated (particularly during the irrigation season) resulting in a significant number of water rights applications for groundwater use. The 2016 Oregonian series “Draining Oregon”, noted that OWRD often makes decisions on these applications without adequate information. In fact, the series noted that at current spending levels, officials wouldn't finish analyzing the State's 18 drainage basin until 2096. While detailed study of all 18 basins is probably not necessary or warranted, it is clear that several of our basins are currently in extreme risk and immediate study and action is necessary to provide for appropriate long-term management of our community's water resources. It is critical that OWRD make decisions based on sound science as impacts to aquifers are far-reaching and, in some cases, irreversible.

For instance, groundwater pumping can reduce the flow of water in connected streams and rivers to the detriment of surface water beneficial uses. Agriculture, cities, fisheries, and other resources are harmed as a result. Over-pumping can result in overdraft conditions, which is a significant issue that can result in land subsidence and reduced aquifer storage capacity, a condition that is already observed in several other western states. Over-pumping can also cause impacts that are less visible and less well-understood such as declining surface water levels which in turn negatively affect dependent ecosystems and surface water quality and the people who depend on them. It is extremely important that OWRD have resources to properly manage our state's groundwater. The reliance on groundwater is only expected to increase as Oregon confronts the challenges presented by population growth, drought and climate change.

TU appreciates the opportunity to comment on House Bills 2705, 2706 and 2707 and looks forward to engaging in the continuing discussions on these bills.