



SB 1036A

**Testimony of Kimberley Priestley
WaterWatch of Oregon
Submitted to the House Committee on Agriculture and Natural Resources**

May 30, 2017

Founded in 1985, WaterWatch is a non-profit river conservation group dedicated to the protection and restoration of natural flows in Oregon's rivers. We work to ensure that enough water is protected in Oregon's rivers to sustain fish, wildlife, recreation and other public uses of Oregon's rivers, lakes and streams. We also work for balanced water laws and policies. WaterWatch has members across Oregon who care deeply about our rivers, their inhabitants and the effects of water laws and policies on these resources.

SB 1036A and irrigation facilities: HB 1036A would exempt from the definition of surface mining excavation or grading operations necessary for construction and maintenance of utilities, drainage facilities and irrigation facilities, where the excavated material is used on site and is not sold into the commercial market as aggregate material (lines 19-21 on page 3 of HB 1036A).

It is unclear what the purpose behind the exemption for irrigation facilities is, but we have concerns as to unintended consequences--particularly with regards to reservoirs. Presumably this bill would exempt from DOGAMI regulation excavation of reservoirs—whether on or off channel—as long the material was used on site and/or not sold as aggregate material. This exempts reservoirs from regulations intended to protect our state's natural resources and the public at large.

We urge the Committee to reject the bill, or at the very least remove Section G from the bill (lines 19-21, page 3).

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