



HB 2854

Testimony of WaterWatch of Oregon
By Kimberley Priestley
Submitted to the House Energy and Environment Committee
February 26, 2019

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.

HB 2854: Measurement and Reporting Task Force

While WaterWatch is very much in favor of advancing measurement and reporting of water use in this state, HB 2854 as written needs significant restructuring for the proposed Task Force to be a worthwhile endeavor.

Recommended changes include:

- **Consensus should govern decisions:** Currently the bill directs that decisions be based upon majority rule. To ensure fairness in both discussions and outcomes, decisions should be based on consensus. Majority rule gives stakeholder groups with majority seats unchecked power not only to silence dissenting voices, but to create a legislative report that is very one sided. We would suggest the bill be amended to require consensus on any decision. If consensus cannot be reached within the group than any report to the legislature should simply note out the areas discussed.
- **Balanced Representation:** The bill does not require balanced representation on the Task Force. The only direction the bill gives is that the task force "be knowledgeable about appropriated water". The task force should have equal seats for conservation groups and/or others that are actively seeking to advance water measurement and reporting in this state. Additionally, we would suggest that the membership criteria be amended so that qualifying criteria is that members are knowledgeable about water management in Oregon generally, not limited to those with knowledge only about "appropriated water use". The group size should also be expanded beyond five to allow for inclusion of the balance of interest.
- **Task Force Chair:** We would suggest that the group be chaired by a legislator who believes that water use measurement and reporting is important to water management in this state. It should not be a self-governed small group of stakeholders, as is currently contemplated by the

bill. Oversight is needed; especially if the bill make-up, direction, and governance structures are not amended as suggested.

- **Date of Report.** The date of the report should be changed to November 2019. The need for increased water measurement and reporting of water use has been the subject of legislative discussions since the early 1990's. In 2017 there was a legislative workgroup made up of a diverse stakeholders that met weekly throughout the session to discuss the issue. We support building upon those 2017 discussions, but have concerns that because this bill has a report date of September 2020, it will simply serve to continue to stall legislation. If there is going to be a Task Force to continue discussions, we would suggest that it be an interim group that must report out in ample time to allow for legislation in the 2020 session.

Conclusion: In conclusion, while WaterWatch is supportive of continued discussions on how to advance water measurement and reporting in this state, this concept needs to be reworked in order to make it a successful discussion.

Thank you for the opportunity to comment.

Contacts:

Kimberley Priestley, Water Watch of Oregon, kjp@waterwatch.org,

503-295-4039 x 23