



Beaverton, City of
Clackamas River Water
Cornelius, City of
Forest Grove, City of
Gladstone, City of
Gresham, City of
Hillsboro, City of
Lake Oswego, City of
Milwaukie, City of
Oak Lodge Water Services
Portland, City of
Raleigh Water District
Rockwood Water PUD
Sandy, City of
Sherwood, City of
South Fork Water Board
Sunrise Water Authority
Tigard, City of
Troutdale, City of
Tualatin, City of
Tualatin Valley Water District
West Slope Water District

April 29, 2019

Representative Barker, Chair
House Committee on Business and Labor
900 Court Street NE, HR E
Salem, OR 97301

Subject: SB 935 – Opposition to Landscape Contractor Modified License

Dear Chair Barker and Members of the Committee,

The Regional Water Providers Consortium, a group of 22 water providers located in the Portland, OR region, opposes the inclusion of irrigation systems in SB 935, which creates a path for a modified landscape contractors license. Our main concerns are outlined below:

There is already a modified license option (OAR 808-003-0035) available which just took effect February 1, 2019. OAR 808-003-0035 is the result of the collaborative work of the Landscape Contractors Board, the Governor's office, League of Oregon Cities, trade association representatives, and water providers to **reduce the barriers of entry** into the landscape construction profession in Oregon by creating a modified licensure option.

To protect and conserve Oregon's drinking water resources, OAR 808-003-0035 **does not** permit the design and/or installation of irrigation systems. In contrast, SB 935 would permit the design and installation of four-zone residential irrigation systems by contractors with a modified license without requiring the demonstrable competency needed to design or install such systems.

Water providers support reducing barriers to enter the landscape contraction profession, but not at the expense of putting the public's water supply at risk or confusing consumers. Under SB 935, homeowners may have to hire a second, fully licensed contractor to install a backflow assembly and connect their irrigation system to the water system or do it themselves. This is onerous and misleading to the consumer who is unlikely to know what a modified versus a fully licensed professional is permitted to do. Another potential consequence is that an unlicensed and inexperienced individual could "take a short cut" and make the connection to the water system themselves which could result in an improper connection that puts the public water supply at risk.

Irrigation systems of all sizes require experience and technical knowledge in order to be properly designed and installed. Landscape construction professionals play an integral role in assisting water providers with managing the state's precious water resources. Water use is at its highest during the summer due in

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large part to irrigation. Improperly designed and/or installed irrigation systems can result in substantial leaks, inefficient water use, and backflow of water from the irrigation system into the drinking water system. Requiring those who have licenses to demonstrate their experience and technical knowledge of irrigation principles and best management practices helps to ensure that the water used for irrigation is used efficiently and safeguards the drinking water supply. By adding irrigation design and installation to the scope of limited licensure without requiring individuals to demonstrate their experience and knowledge of irrigation principles, SB 935 diminishes effective management of drinking water resources, as well as consumer, and public health protections.

SB 935 sends a mixed message.

Current law requires most municipal water providers to complete and implement comprehensive Water Management & Conservation Plans (WMCP) as a condition of their water right to ensure the stewardship of limited water resources. Providing training and technical assistance for landscape professionals on water efficiency is a way for water providers to meet the requirements of their plans (OAR 690-086-0150). This training and partnership are critical to managing peak summer water demand when water supplies are at their lowest. Seasonal landscape irrigation can increase potable water consumption by as much as 60 percent. **Everyone should share the responsibility of using our water as efficiently as possible.**

Environmental regulations, water policies, irrigation technology, and landscape practices continue to evolve rapidly. The citizens and communities of the Portland metropolitan area and throughout the state of Oregon are better served by an experienced and knowledgeable base of qualified, licensed landscape construction professionals for projects that require irrigation systems. Therefore, **we urge you to oppose the irrigation element of SB935 and continue to support the sound stewardship of Oregon's drinking water resources and the collaborative work already accomplished by the recent adoption of OAR 808-003-0035.**

Thank you for your consideration. If you have any questions, please contact Consortium Managing Director Rebecca Geisen at 503-823-7493.

Respectfully,

A handwritten signature in black ink, appearing to read "Russell B. Axelrod". The signature is fluid and cursive, with a large initial "R" and "A".

Mayor Russell B. Axelrod
Chair, Regional Water Providers Consortium Board

cc: Regional Water Providers Consortium Board