



March 18, 2021



**To: The Honorable Ken Helm, Chair
House Committee on Water**

**House Bill 3103
Adrienne Averett, acting Water Program Manager
Oregon Department of Fish and Wildlife**

Thank you for the opportunity for the Oregon Department of Fish and Wildlife to provide the following testimony on House Bill 3103.

On behalf of Oregonians, the department advances efforts to maintain and restore instream flow to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations. HB 3103 would allow the Water Resources Department to accept and process transfer applications proposing a change in the character of use of storage water rights to instream and other uses without losing the priority date of the right. Such a change would support ongoing efforts to protect instream flow in the Willamette and other basins across the state.

Instream water rights are important because they provide an understanding of how much water is necessary to support healthy ecosystems, healthy river-based economies, and provide restoration goals for fish and wildlife populations and climate change resiliency. Legally protecting water instream is critical to the health of Oregon's fish and wildlife, and therefore, to the social, cultural, and economic benefits they provide.

HB 3103 is the next step in moving forward the Willamette Reallocation, a process that will strengthen protections for instream flow. Adoption of the Federal Water Resources Development Act of 2020 paved the way to reallocating water storage in the Willamette basin for agricultural irrigation, municipal and industry, and fish and wildlife uses. The bill offers improved flexibility for integrated water management across the state and is consistent with Oregon's Integrated Water Resources Strategy and the department's Instream Water Rights and Climate Change Policies.

Passage of this bill will remove a legal barrier to protecting water instream under certain scenarios and increase opportunities to support critical life history needs of fish and wildlife. As stewards of fish, wildlife, and their habitats, the Department encourages protection of surface flows that support healthy ecosystems, healthy economies, and the cultural values of our Tribal partners.

CONTACTS: Shannon Hurn, Deputy Director, (503) 947-6044