



March 22, 2021

To: Chair Senator Kathleen Taylor, Co-Chair, Representative Jeff Reardon, and Members of the Joint Ways and Means Natural Resources Subcommittee:

RE: Support for Funding the Willamette Reallocation Implementation Workgroup

The above organizations are requesting funding to support a facilitated workgroup on the Willamette Basin Reallocation. Our respective organizations represent a variety of stakeholders, and while we sometimes disagree on policy or funding, we all care deeply about Oregon's water resources and are supportive of investment in a Willamette Basin Reallocation implementation workgroup.

While the Willamette Basin may be viewed as water rich, there are a myriad of critical and complex issues that need to be addressed before on-the-ground implementation of the Willamette Reallocation occurs. These issues necessitate a structured, facilitated workgroup process with diverse stakeholders and impacted agencies, including but not limited to the Oregon Water Resources Department and Oregon Department of Fish and Wildlife.

The stakes are high; the Willamette Basin has a diverse ecosystem, growing population, and some of the most fertile farmland in the state. The water stored behind the thirteen Willamette Basin reservoirs is equally critical to a number of interests: agricultural water suppliers, domestic and municipal drinking water suppliers, industrial users, outdoor recreation, hunting, fishing, and many other uses of Oregon's public's water.

The Oregon Water Resources Department proposed a Policy Option Package (POP) in their Agency Requested Budget for 2021-23 that loosely matches what we see is needed to start implementing the Willamette Reallocation process. Policy Option Package #113: Willamette Basin Reallocation: *"This policy option package will allow the Department to pursue the pre-implementation tasks of: the conversion of two storage water rights to expanded uses; contracting with the owner of the federal reservoirs; developing target flows below the reservoirs; and mapping out the process for conversion of minimum flows to instream water rights."*

"The Department and ODFW propose to enter into a multi-year effort that will require several staff positions to coordinate basin activities, facilitate meetings, provide technical analyses, develop instream flow targets, manage the contested case process for minimum perennial flow conversions, and shepherd any necessary law changes. The project will undertake a significant stakeholder engagement and outreach program, so that the public is kept apprised and they have input on the planned changes in reservoir and streamflow management in the basin. The request is for one NRS 5 Willamette Basin Coordinator to undertake the coordination identified above and \$100,000 of General Fund dollars for facilitation and public outreach. Without funding, Oregon agencies will not be able to timely implement the Willamette Basin Reservoir Reallocation to provide stored water supplies for municipal and industrial water users, secure water for agriculture irrigation, and provide for instream flow protections."

Additionally, without implementation, the performance standards identified in the National Marine Fisheries Services' Biological Opinion tied to this reallocation will not be met. This could limit all users (both instream and out of stream) access to stored water, and result in non-compliance with the Biological Opinion increasing the likelihood of litigation." POP #113 Total Fund Costs: \$321,040; General Fund Staffing \$221,040; Contracting Facilitation & Support \$100,000

Professional facilitation is needed to ensure this complex issue can be addressed with numerous diverse stakeholders at the table. Oregon Solutions/Oregon Consensus may be an appropriate convener, but we are open to other options that will bring together affected stakeholders and help agencies and stakeholders implement necessary components of the Willamette Basin Reallocation.

We recognize the limited funding available and the challenges you have in balancing the budget, however; we feel strongly this complex issue warrants investment now so we can start work in the next biennium. Investing now in a facilitated workgroup to address the Willamette Reallocation will prevent additional expense to the state in the future. Without a structured process to collaboratively discuss and address the myriad of implementation questions there will likely be widespread litigation and numerous economic impacts to every sector impacted by the Willamette Basin Reallocation.

In conclusion, we urge the Joint Ways and Means Natural Resources Subcommittee to support general fund investment to fund the Willamette Reallocation Implementation Workgroup, for the benefit of all Oregonians.

Thank you for your consideration of our request.

League of Oregon Cities
Oregon Association of Nurseries
Oregon Farm Bureau
Oregon Water Resources Congress
Special Districts Association of Oregon
Trout Unlimited