



To: House Committee on Agriculture, Land Use, Natural Resources, and Water
Chair Helm
Vice-Chair Hartman
Vice-Chair Owens
Representative Boice
Representative Gamba
Representative Levy
Representative Marsh
Representative McLain
Representative Scharf

From: Caylin Barter, Oregon Water Policy Program

Date: April 18, 2023

RE: Comments on HB 3124 – Top Priority Investments in Data, Water Management, and Ecosystems

Chair Helm, Vice-Chairs Hartman and Owens, and Members of the Committee:

Thank you for the opportunity to provide testimony on HB 3124, the Bipartisan Drought Relief and Water Security (BiDRAWS) package. Wild Salmon Center supports policy approaches that will improve the understanding and stewardship of our state's public water resources, especially as climate change increases volatility in supply and demand.

Wild Salmon Center is an international nonprofit headquartered in Oregon that has worked with local partners since 1992 to protect and restore the strongest remaining runs of Wild Pacific Salmon. We use science to drive policy, lead planning processes, and support implementation, and we know that the health of our water resources underpins the recovery of our iconic wild fish and the vitality of our communities and economy.

To maintain momentum on key investments in the 2021-2023 biennium, improve Oregon's water resilience, and leverage historic federal funding in the Bipartisan Infrastructure Law and the Inflation Reduction Act, Wild Salmon Center urges your support for the following priorities:

ODFW POP 107, Integrated Water Resource Solutions

- **BiDRAWS elements #1-3, 1-15, 2-6, 3-4 (spread across multiple)**
- **ARB: \$463,725 GF, \$231,862 OF, 3.0 FTE**
- **GRB: *NOT FUNDED***

ODFW needs capacity to consistently support local and regional water planning processes – improving instream flow benefits water quantity and quality for fishing, swimming, and drinking. GF funds 2 positions (new instream flow bio to ID streamflow restoration priorities, new water planning coordinator to assist regional water planning, LD water rights coordinator for muni extensions).

OWRD POP 111: Water Use, Supply, and Availability Data

- **BiDRAWS element #2-1**
- **ARB: \$2,209,905 GF: 8 positions (\$1,756,905 GF), contracting/other (\$453K GF)**
- **GRB (\$909,905 reduction): \$1.3M GF: 4 positions (\$847K GF), contracting/other (\$453K)**

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Oregon Water Resources Department's mission is to serve the public by practicing and promoting responsible water management, and chief among those responsibilities is ensuring that new water rights are granted only if the resource can support additional demand. The Department's Water Availability Reporting System (WARS) is the publicly accessible online tool that OWRD uses to determine whether water is legally available to support issuance of new water rights. The current WARS tool uses a water supply period of record from the years 1958 to 1987 to gauge water availability, a period broadly acknowledged to no longer be representative of current water conditions, much less the conditions likely in a climate-changed future.

POP 111 would enable OWRD to make critical updates to this vital water allocation tool and to future-proof its foundational IT systems to support ongoing revisions. Unfortunately, only four of the eight positions necessary to implement this update were included in the GRB, and modified POP 111 does not include the requested IT staffing. This reduction will extend the timeline for completion of this long-overdue project, and will enable only a one-time update to the WARS tool because existing staffing is inadequate to upgrade the obsolete IT systems that underpin it. Wild Salmon Center urges full funding of POP 111 at the ARB level to ensure WARS can be updated as quickly as possible and can survive future updates to reflect changing water conditions.

ODFW POP 110, Statewide Stream Temperature Monitoring

- **BiDRAWS element #2-6**
- **ARB: \$393,302 GF, 1.0 FTE + equipment**
- **GRB: *NOT FUNDED***

This package enables dedicated project management and data stewardship for ODFW's coldwater mapping project, which is creating a roadmap for protection and restoration of the best places for salmon and other coldwater aquatic species to survive hot dry spells.

ODFW plus-up for coldwater habitat mapping and realtime stream gaging O&M

- **BiDRAWS element #2-6**
- **ARB: n/a**
- **GRB: n/a**
- **\$182,532 GF for coldwater mapping field crew, \$750,000 GF for O&M**

Additional O&M is needed for streamgages authorized in the 2022 Legislative Session's drought resilience package, as the current O&M budget was inadvertently included per biennium rather than per annum. This will enable the full set of streamgages contemplated in the 2022 investment to be installed and begin generating real-time information on the temperature and flow of biologically critical streams. Additional investment in summer field staff will expand the range of locations where thermistors can be deployed for data collection, further leveraging investments in the 2022 drought resilience package.

OWRD POP 114: Watermaster Staff: Improving Water Management

- **3124: Element 1-14**
- **ARB: \$1,606,221 GF: 6.25 positions (\$1,434,131), reclass of existing positions (\$172,090 GF)**
- **GRB: *NOT FUNDED***

OWRD's watermasters are the agency's "boots on the ground" who live and work in the communities where Oregon's water resources support instream and out-of-stream uses. Each watermaster is tasked with administering water rights on streams, reservoirs, and wells across thousands of square miles, and their

jobs are only getting harder as the number of water rights increases, climate change stresses overtapped supplies, and water complaints increase.

POP 114 provides critical capacity for field staff in high-conflict basins to provide timely complaint responses, address illegal uses, increase water use measurement, collect data on surface water and groundwater data supplies to inform agency decisions, and act as a liaison between the agency and communities. The package adds a Region Manager and three watermaster staff in the Klamath Falls office to address complex water challenges in the Klamath-Lake County region and one assistant watermaster in Burns, and it reclasses existing watermaster staff to address equity issues, water management complexity, and increased job responsibility. ***Wild Salmon Center urges full funding of POP 114 at the ARB level to equitably and efficiently regulate use of Oregon's water resources in a changing climate.***

OWRD POP 109: Adapting to Climate Change & Drought

- **BiDRAWS elements #2-1, 3-3 (spread across multiple elements)**
- **ARB: \$1,721,445 GF: 6.5 positions (\$1,521,445), water conservation campaigns (\$200K)**
- **GRB: *NOT FUNDED***

Oregon is in the midst of the driest 22-year period in the past 1,200 years. Drought impacts are arriving earlier and trending more severe, with hotter temperatures, declining snowpack, drier soils, longer growing seasons, and heavier water demand across all uses during summer months. In 2023, Jefferson and Crook counties declared drought emergencies in January—the first time any county in Oregon history has made such a declaration so early in the year. Current policies rely on emergency declarations and drought relief to mitigate drought impacts, which does nothing to help the state become more resilient to future droughts.

POP 109 is a critical investment that moves Oregon toward greater water resiliency in the era of climate change. It enhances interagency coordination, increases the pace and scale of voluntary streamflow restoration efforts, promotes water conservation, assists vulnerable community water systems, and expands support for aquifer storage projects. ***Wild Salmon Center urges full funding of POP 109 at the ARB level to help Oregon break the cycle of endless emergency and move toward proactive water management and resilient water supplies.***

We appreciate the many conversations we have had with Representatives Helm and Owens as this package was assembled, both individually and as members of Oregon Water Partnership (whose [testimony on HB 3124](#) we adopt and support), and we look forward to continued conversations as it is further shaped. We don't envy you the shaping, though you have the state's integrated water resource strategy—which puts instream and out-of-stream water needs on equal footing—as your north star. We encourage the Committee to keep this balance top of mind as refinement continues.

Thank you for the opportunity to submit testimony on HB 3124.



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