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February 2, 2023

Submitted Via Oregon State Legislature Testimony Submission Form

House Committee on Agriculture, Land Use, Natural Resources, and Water
900 Court St. NE
Salem, OR 97301

Re: Central Oregon LandWatch Testimony in opposition to HB 3097

Dear Chair Helm and Honorable Members of the Committee:

Thank you for opportunity to provide testimony on HB 3097. LandWatch is an Oregon non-profit, public interest organization of about 700 members. Its offices are located in Bend, Oregon. LandWatch's mission is to defend and plan for Central Oregon's livable future and it has advocated for the preservation of natural resources in Central Oregon for over 30 years.

LandWatch is a member of the Deschutes Basin Water Collaborative, a body working to meet the water needs in the basin for agriculture, municipalities and rivers. The Deschutes Basin Study indicated that meeting all the water needs in the basin will require senior water right holders in irrigation districts to reduce demand and to share their water through innovative conservation programs including water transfers, leasing and more efficient water use on farm. Without a concerted effort to implement these programs, it will not be possible to enhance streamflows to meet the critical needs of fish and wildlife in the basin.

LandWatch supports renewable energy development that is sited and developed in a manner that minimizes impacts to the environment and helps mitigate the growing impacts of the climate and biodiversity crises. However, we are concerned that HB 3097 will provide a disincentive to protecting water instream and moving water to where it's needed most. The development of in-conduit hydroelectric projects where water conservation projects have yet to be implemented and minimum instream flows have yet to be established creates a strong economic disincentive for achieving these goals. Without minimum flow assurances for the river, demands to maximize hydroelectric revenue streams will compete directly with much need and publicly supported river restoration efforts. In the Deschutes Basin, there is a long history of working to restore and protect instream flows in the mainstem of the Deschutes River and its tributaries. Facilitating expanded opportunities for in-conduit hydroelectric without first establishing and committing to minimum instream flows will adversely impact the success of these basin-wide efforts.

Because of these reasons, Central Oregon LandWatch opposes HB 3097 unless it can be amended to provide better assurances for the region's rivers and streams.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeremy Austin', written in a cursive style.

Jeremy Austin
Wild Lands & Water Program Manager
Central Oregon LandWatch
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