



WaterWatch of Oregon

Protecting Natural Flows In Oregon Rivers

HB 3124

Testimony of WaterWatch of Oregon

by Kimberley Priestley

House Committee on Agriculture, Land Use, Natural Resources and Water

April 3, 2023

Founded in 1985, WaterWatch is a non-profit river conservation group dedicated to the protection and restoration of natural flows in Oregon's rivers. We work to ensure that enough water is protected in Oregon's rivers and aquifers to sustain fish, wildlife, recreation, and other public uses of Oregon's waters. We also work for balanced water laws and policies. WaterWatch has members across Oregon who care deeply about our rivers, their inhabitants and the effects of water laws and policies on these resources.

WaterWatch urges full funding all packages that uplift ecosystems, as well as agency POPs related to water and fish related to HB 3124, the Bipartisan Drought Relief and Water Security Package (BiDRAWS)

Climate change and increasing incidents of drought are putting additional strain on Oregon's overallocated streams, imperiled ecosystems, declining aquifers, fish and wildlife and the communities and economies that depend upon them. While a number of past drought packages have focused largely on agricultural relief, with the 2022 Drought Package for Ecosystems the state began to balance investments by directing funding to ecosystem work that benefits all Oregonians. Similarly, HB 3124 contains a number of important initiatives aimed at drought resiliency for ecosystems. As the bill moves forward and the price tag is trimmed, we would ask that the state retain and prioritize all the ecosystem uplifts, including but not limited to the following initiatives from BiDRAWS Package, as well as some additional agency POPS.

BiDRAWS Packages:

- **1-2: IWRS update and implementation (though need to add ODFW POP 107)**
- **1-4: Tribal engagement**
- **1-6: CTUIR water rights settlement**
- **1-14: Increasing OWRD Field Capacity**
- **2-4: Increasing water use measurement and reporting**
- **2-6: Statewide streamflow and stream temperature monitoring, Instream Flow Studies and Cold Water Refugia Mapping**
- **2-7: Statewide Stream and Groundwater Monitoring**
- **3-5: Groundwater quality monitoring and action**
- **5-1: Fish Passage Barrier Removal/program capacity**
- **5-3: Water Acquisition Grant funds and Position Continuity (OWEB)**
- **5-4: OCRF projects to increase ecosystem resiliency**
- **5-8: Studying Springs in the Deschutes Basin (POP 119)**

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Related POPS that we support in relation to the Drought Package include but are not limited to:

- **ODFW**
 - **POP 107: Integrated Water Resources Solutions**
 - **POP 110: Stream temperature gaging**
 - **POP 109 and POP 119: Klamath Biologists**
- **OWRD**
 - **POP 111: Updating the Surface Water Availability Model**
 - **POP 104: Updating Informational Technology**
 - **POP 114: Increasing field staff (watermasters)**
 - **POP 118: Data collection/analysis Lake Abert and Chewaucan Watershed**
 - **POP 119: Studying springs in the Deschutes Basin**
 - **POP 112: Supporting Tribal Solutions**
 - **POP 115: Supporting Complex Issues/CTUIR**
 - **POP 120: Improving Data Accuracy and Availability**

Infrastructure Funding: The Drought Package currently includes significant funds for infrastructure. As the package is being refined we would ask that all infrastructure funding for irrigation efficiency projects be directed to go through the state's Conserved Water Act, or at the very least that the funding be put in the OWRD's Water Supply Development Fund (SB 839, 2013) so that public benefits are gleaned from disbursement of public funds. Similarly, for funding of storage and other water supply development projects, we would urge that the funds be deposited in the SB 839 fund. In the past few budgets we have seen increased direct appropriations and/or drought funding to infrastructure that skirt the important sideboards of these programs, which we believe sets troubling precedent.

For example, Package 6-1 of the Drought Package that would direct \$70 million to infrastructure states that "projects supported by these grants would protect or restore watershed or ecosystem functions in order to improve streamflows, with the Allocation of Conserved Water being the preferred instream protection method for the program". While this sounds good, unless the funding is put into an existing funding pot (such as OWRD's SB 839 fund) that requires a public benefit there is no guarantee efficiency project funding will actually restore and/or protect streamflows. To the contrary, efficiency projects can actually harden water use by depriving aquifers and streams of recharge. There is nothing in the federal programs (e.g. PL 566 funding) that these state funds will be used as match that requires benefits to streamflows or ecosystems, so it is doubly important that the state funds serve this role.

Conclusion: WaterWatch supports full funding of all ecosystem packages. The Integrated Water Resources Strategy calls on the state to meet both instream and out-of-stream needs, thus the state should provide parity in funding. As to the path forward, it is our understanding that this bill is being sent to Rules for additional time and input, as such this list serves only as initial input into the package; we remain committed to engaging with this package as it moves forward.

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