



Oregon

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To: The Honorable Julie Fahey, Chair
House Committee on Rules



House Bill 2765

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Thank you for the opportunity to provide information on House Bill 2765. The Oregon Department of Fish and Wildlife (ODFW) has no position on the bill.

HB 2765 proposes to grant the exclusive right to use or sell treated wastewater discharged by the South Suburban Sanitary District into the Klamath River or any of its tributaries for the benefit of the district or for the general use and benefit of people or fish and wildlife within or without the boundaries of the district. The treated wastewater discharged is to be additive to the natural flow and not appropriated by any person pursuant to a permit or to fulfill any state or federal requirements pertaining to fish and wildlife. The -2 amendments direct a minimum of 25 percent of the annual volume of the reclaimed water to the Klamath Basin National Wildlife Refuge.

We appreciate the efforts of the Sanitary District to seek creative water solutions in an increasingly water-scarce environment. This proposal presents the state with a very interesting case study, raising important practical, financial, and policy questions around treated wastewater discharge and reclaimed water.

The scenario for South Suburban Sanitary District is not entirely unique since many municipalities and entities return treated water to waterways, providing the source of water to downstream water users and fish and wildlife in over-allocated rivers across the state. Oregon law already allows for additional uses of reclaimed water (ORS 537.132) but includes important safeguards to ensure the needs of fish and wildlife and other water users are appropriately considered. This bill has no such checks and balances. For that reason and because of the numerous other similar examples statewide, modifications or exemptions to this process would best be considered on a larger scale and in the context of Oregon's Integrated Water Resources Strategy.

Furthering multi-benefit water solutions is a critical component of achieving community and ecosystem resiliency in the face of climate change. We hope that the example of the South Suburban Sanitary District can be evaluated further to better understand how we can provide greater flexibility and innovation in a broader context of state and place-based water planning.

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