

## Testimony to the Senate Committee on Natural Resources and Wildfire

re: SB 427

February 25, 2025

### **Karen Lewotsky, Water Program Director & Rural Partnerships Lead Oregon Environmental Council**

Founded in 1968, the Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization. We advance equitable, innovative, and collaborative solutions to Oregon's environmental challenges for today and for future generations. OEC is a member of the Oregon Water Partnership.

Chair Golden, Vice Chair Nash, and Members of the Committee,

**For the record, my name is Karen Lewotsky. I am the Water Program Director & Rural Partnerships Lead for Oregon Environmental Council, and I am testifying on behalf of Oregon Water Partnership in support of SB 427.**

As you have heard, SB 427 is intended to be a narrowly focused tool for addressing a very specific problem – avoiding negative environmental impacts from water transfers on streamflows, including impacts that could affect fish habitat and water quality.

Environmental standards for water transfers are not a novel idea. Other western states already have some sort of a similar process in place for transfers.\* As water transfers become an increasingly important part of Oregon's water management system, we need to be sure that those transfers are not damaging to the resource itself or the various benefits in-stream water provides.

My colleagues from Wild Salmon Center and Trout Unlimited have laid out the basics of the bill, including how it can help protect fish.

SB 427 can also protect water quality. The science and policy of water quality relies on the maxim “**dilution is the solution to pollution**” for managing various wastewater discharges to water bodies. Reducing streamflow in a given reach can reduce the dilution capacity of that reach, meaning that permitted discharges may no longer be sufficiently diluted to meet the requirements of discharge permits. This potentially endangers public health (in addition to wildlife) due to the concentration of pollutants, and might require operational changes to maintain permit compliance. Recreation and other water-based activities are also dependent on sufficient flow and safe water.

SB 427 is good water management. Recognizing that a current practice is contributing to difficulties and challenges, and then refining that practice to stop making things worse is a key component of good management. SB 427 does just that, in an efficient way that builds on the Oregon Water Resources Department's current approach to

reviewing transfers to ensure that there is no injury to other water rights or enlargement of water use. This flow-based approach centers the review at one agency while avoiding harm to a wide range of related resource values including fish health, water quality, and recreation.

To summarize, SB427 modernizes transfer policies to ensure that changes to water rights don't do further harm to the environment. This aligns with OWRD's goal of modernizing our water management tools, protecting the resource while providing consistency, transparency and predictability.

**Oregon Water Partnership appreciates the Committee's interest in this important issue and urges your support of SB 427.**

\*Idaho, Montana, Utah, Washington and New Mexico