



February 25, 2025

Senate Committee on Natural Resources and Wildfire
Oregon State Legislature
900 Court St. NE,
Salem, OR 97301

RE: Testimony in Opposition to Senate Bill 427

Chair Golden and members of the Senate Committee on Natural Resources and Wildfire,

I am writing to express the City of Beaverton's opposition to Senate Bill 427, which proposes the addition of "diminishment of streamflow" as a criterion for water right transfer permits. While Beaverton understand the intent behind this proposal and supports the protection of our Waters of the State, the language as proposed introduces several significant issues that need to be addressed.

Firstly, the term "diminishment of streamflow" is extremely broad and lacks a clear, identified mechanism for measurement. This vagueness can lead to inconsistent interpretations and enforcement, creating uncertainty for water rights holders and complicating the approval process for water transfers. Without a standardized method to measure streamflow diminishment and levels of reduction that exceed the expectation of this bill, it becomes challenging to objectively assess the impact of proposed water transfers.

Secondly, the proposal does not consider the nuanced reasons for water transfers. Water transfers often occur to address specific needs, such as improving water efficiency, supporting agricultural activities, or enhancing environmental conservation efforts. By imposing a blanket requirement without considering the context and purpose of the transfer, the proposal may inadvertently hinder beneficial water management practices.

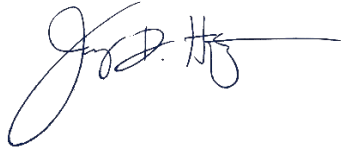
Moreover, the proposal fails to recognize situations where water transfers could result in an overall benefit to the watershed. For instance, transferring water rights from areas with higher ecological value or greater conservation needs can enhance the health and sustainability of the watershed. By not accounting for these potential benefits, the proposal may discourage transfers that could positively impact the environment.

In conclusion, while the goal of protecting streamflow is commendable, the addition of "diminishment of streamflow" as a criterion for water transfers in its current form is problematic. It introduces ambiguity, overlooks the reasons behind transfers, and disregards potential benefits to the watershed. I urge the committee to reconsider this

proposal and work towards a more balanced and effective approach to water management.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe D. Hays", with a horizontal line extending to the right from the end of the signature.

City Manager