

## **SB 427 & SB 1153 threaten established drinking water rights that serve our growing communities and protect public health**

Due to recent legislation and groundwater rulemaking to conserve Oregon's water resources, water right transfers are the only remaining option to manage our communities existing drinking water and firefighting supplies.

**SB 427** would prohibit any water right transfers that would diminish stream flow which will effectively result in outright denials of water right transfers. **SB 1153** creates new standards that would result in expensive and time-consuming litigation for our communities and the State of Oregon on any water right transfer for drinking water rights.

### **What does this mean for your communities?**

- Many utilities are planning to build new water intakes to meet seismic and wildfire resiliency needs – All of those projects would either be outright denied or be subject to expensive and time-consuming litigation by outside interest groups that could take years under our current system. It will also impact our community's ability to accommodate new housing production goals and our ability to serve that growth.
- **Drinking water utilities already have extensive environmental requirements applied to our water rights** including fish persistence flows applied to our drinking water permits by ODFW, water measurement and reporting requirements, water management and conservation plans, extensive conservation programs to promote efficiency and reduce our water usage, and environmental permitting requirements. Exhaustive environmental reviews already exist for Point of Diversion (POD) changes that require a removal fill permit.
- Under SB 1153, the new standards for review will lead to contested cases and litigation. **Currently, there are 227 protests and contested cases pending at OWRD.** There are also several historical examples of these cases taking well over a decade to resolve. Leaving our cities with a lack of certainty on providing municipal drinking water to our communities. Ratepayers will be impacted by construction delays and legal expenses.
- Oregon municipal drinking water utilities do not have concerns about government-to-government tribal consultation and welcome public comment. But **we oppose putting our existing drinking water rights at risk in this manner.**

**VOTE NO ON SB 427 & SB 1153**

