

Submitter: Justin Cunningham  
On Behalf Of:  
Committee: Senate Committee On Natural Resources and  
Wildfire  
Measure, Appointment or Topic: SB1153

Dear Members of the Oregon State Legislature,

I am writing to strongly oppose Senate Bill 1153, as I believe this bill poses significant risks to the efficient and responsible management of water resources in Oregon. While the intent of the bill may be to improve environmental protections, it would instead create unnecessary and burdensome obstacles for water users across the state. Specifically, SB 1153 threatens to disrupt Oregon's ability to manage water rights effectively at a time when water resources are already strained and new rights are not available.

#### 1. Limits Flexibility for Water Users:

SB 1153 would impose vague and broad environmental assessments that would severely restrict water users' ability to adapt to changing conditions. Flexibility is crucial in water management, particularly for farmers, municipalities, vineyards, nurseries, and others who rely on water rights for their livelihood. The bill's broad approach would hinder the ability to make necessary adjustments to water use, leaving water users with fewer options to manage water resources effectively, especially during times of drought or other changing conditions.

#### 2. Increased Litigation Risk and Delays:

One of the most concerning aspects of SB 1153 is the potential for years of costly litigation. The bill introduces new and redundant layers of bureaucracy that open the door to litigation from activist third parties. This would only delay necessary water rights transfers and create significant uncertainty for water users who are already facing difficult challenges. The fear of lawsuits would discourage water users from engaging in the process, further exacerbating the existing backlog of water rights transfers and delaying critical projects that depend on timely water access.

#### 3. Redundant and Unnecessary Regulations:

SB 1153 adds new and duplicative standards to a process that is already governed by strict anti-injury and anti-enlargement rules. The existing water rights transfer process already includes comprehensive safeguards to protect the environment and the rights of other water users. Adding additional regulations without clear benefit would only increase administrative costs, slow down water rights transfers, and

create confusion among water users. This is an unnecessary solution to a problem that does not exist.

#### 4. Lack of Stakeholder Input:

Despite the significant impact this bill would have on water users across Oregon, the water user community has had minimal engagement in the development of SB 1153. It is essential that all stakeholders—including farmers, municipalities, vineyards, nurseries, and others with a vested interest in water rights—be given a meaningful opportunity to provide input on policies that will directly affect their livelihoods. The lack of engagement and consultation in the development of this bill undermines the democratic process and ignores the real-world consequences for the communities that depend on access to water.

#### Conclusion:

I urge you to oppose SB 1153 and work toward solutions that respect the need for flexibility, efficiency, and fairness in Oregon's water rights transfer process. This bill threatens to create more harm than good, placing unnecessary burdens on water users and opening the door to costly delays and litigation. I respectfully ask that you take these concerns into account and vote against SB 1153.

Thank you for your time and consideration.

Sincerely,  
Justin Cunningham