

March 25, 2025

House Committee on Agriculture, Land Use, Natural Resources, and Water

Testimony on HB 3800 -1 amendment

Submitted by: Zach Freed, Sustainable Water Program Director

Co-Chair Helm, Co-Chair Owens, and Members of the Committee:

The Nature Conservancy is **neutral with concerns on the proposed -1 amendment to HB 3800**, which requires Oregon Water Resources Department to take several actions relating to ongoing Harney Basin groundwater rulemaking.

The Nature Conservancy (TNC) is a science-based, non-partisan organization committed to conserving the lands and waters on which all life depends. In Oregon, TNC has over 80,000 supporters and members in every community around the state, where we manage lands and waters in varied ecosystems and partner with ranchers, farmers, fishers, and environmental interests on some of the most challenging conservation issues facing people and nature.

TNC has participated in Division 512 rulemaking since it began in April 2023 and has worked with the Harney Basin community to find voluntary solutions for water management since 2017. There are some elements of the proposed -1 amendment that are well aligned with prior conversations, such as cancelling unused groundwater rights.

However, other components of the proposed -1 amendment have not been well vetted, and may be counterproductive to the goal of achieving a sustainable, secure water future for the Harney Basin. For example, the proposal to prohibit OWRD from utilizing permit decline conditions will remove tools from the water management toolkit when they're most needed. It's unclear why permissible total withdrawals (PTWs), or sustainable levels of groundwater pumping, should be established in statute, instead of the ongoing rulemaking process. Permissible total withdrawals must be evidence-based and we should use available models to understand whether the proposed PTWs are sufficient to achieve sustainability.

The Nature Conservancy is willing to continue discussing amendments to HB 3800. We have a vested interest in working towards a sustainable, secure water future for the Harney Basin and for Oregon. But we are concerned that the currently proposed -1 amendment will not achieve that goal.

Thank you for the opportunity to comment.