

Submitter: Dean Moberg
On Behalf Of: Gash Gold Vermilion Natural Resources Consulting
Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water
Measure, Appointment or Topic: HB3372

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

Re: Support for HB 3372-5, Exempt Uses of Water

Co-chair Helm, Co-chair Owens, Vice-chair McDonald, and members of the committee

I write to express my support for HB-3372-5, which allows irrigation of commercial gardens up to ½ acre in size, with a limit of 3,000 gallons per day.

I have worked in agriculture for over 50 years, as a farm worker milking cows, driving tractors, and harvesting vegetables; as a high school agriculture teacher; as a conservationist for the USDA-Natural Resources Conservation Service; as co-author of The Soils of Oregon reference book; as an elected director of a soil and water conservation district; as a board member of a neighborhood farmers market; and as the owner of a small consulting firm specializing in the improvement of soil on Oregon farms.

I support HB 3372-5, which exempts small commercial gardens from needing a water right. This exemption is limited to ½ acre of land and no more than 3,000 gallons of water per day. Certainly, providing an exemption to water rights is a serious issue and should be considered carefully to avoid excessive withdrawals of groundwater. However, local food production is also important, as is the ability of rural folks to have a source of income from selling fruits and vegetables.

HB 3372-5 achieves a balance between these needs and builds in a beneficial conservation factor that extends to lawns and non-commercial gardens:

- ORS 537.545 currently allows irrigating a lawn or non-commercial garden up to ½ acre in area but does not limit the amount of water that can be applied. HB 3372-5 allows for irrigating a commercial garden with up to 3,000 gallons per day and also places this same 3,000 gallons per day limit on lawns and non-commercial gardens. Thus, HB 3372-5 allows irrigating some new acres (small commercial gardens) but decreases the amount of groundwater that can be applied to non-commercial gardens and lawns.

- The limit of 3,000 gallons per day on ½ acre is less than typical water rights on commercial farms. Most of the irrigation water rights I've seen allow up to one eightieth (1/80) of a cubic foot of irrigation per day per acre, which equates to about 4,000 gallons per day on a ½ acre plot. Thus, HB 3372-5 would hold small commercial gardens to a higher conservation standard than farms that currently have water rights.

- The limit of 3,000 gallons per day on ½ acre equates to about 0.22 inches of water per day, which essentially guarantees that conservation measures such as drip irrigation will be needed to grow vegetable and fruit crops commercially.

Thus, the bill is a good compromise. It allows an exemption for local food production on small commercial gardens but prevents the excessive use of water on non-commercial gardens and lawns.

Please support HB 3372-5.

Thank you for your consideration and thank you for your service to Oregon.

Dean P. Moberg
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