

Submitter:

Eric Pimm

On Behalf Of:

Committee:

Senate Committee On Rules

Measure, Appointment or Topic:

SB1153

This proposed bill eliminates flexibility as transfers are the only practical option left for farmers and ranchers to legally move water where it's needed. SB 1153 would make these basic adjustments harder, slower, and more expensive. The bill creates unclear tests like "loss of instream habitat" and "contribution to water quality impairment" without defining what these mean or how to measure them. It prioritizes ambiguous environmental ideals over economics and food production. Farmers like us will be less able to adjust to changing conditions, invest in conservation or move water to crops in need. Irrigation and water infrastructure improvements will slow down or stop. To date, supporters haven't shown any actual cases of environmental damage from transfers. We should not rewrite decades of water law based on speculation. Additionally with the OWRD already having a years-long application backlog, SB 1153 just adds costly, complex tasks without giving the agency time or resources it would need to successfully implement this and we have no idea what is the cost of this bill and how does it fit into the OWRD fee increases?

This bill targets family farms and rural water users but exempts cities from the same rules, even though their water rights are the same or similar. The vague new criteria will invite lawsuits and challenges from the environmental litigation industry and require family farms to defend themselves. Cities can spread compliance costs among ratepayers. Farmers will shoulder the legal fees alone.

The Oregon Department of Fish & Wildlife & Department of Environmental Quality are already tasked with applying for in-stream water rights to protect stream reaches where needed. The bill overrides agency authority and responsibility. The also bill lacks reporting requirements or deadlines for agency decisions. It opens the door to more bureaucracy, not better results.