

Submitter:

Tim Gates

On Behalf Of:

Committee:

Senate Committee On Rules

Measure, Appointment or Topic:

SB1153

The state legislature should be creating legislation to support our state's farms. My concerns with this legislation are:

1) Eliminates Flexibility: 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.

2) Uses Vague, Unproven Standards: 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.

3) Blocks Innovation and Introduces Uncertainty: Farmers 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.

4) No Proof of Harm: Supporters haven't shown any actual cases of environmental damage from transfers. We should not rewrite decades of water law based on speculation.

5) Adds More Burden to a Broken System: OWRD already has years-long application backlogs. SB 1153 adds costly, complex tasks without giving the agency time or resources to succeed. What is the cost of this bill and how does it fit into the OWRD fee increases?

6) Unfair and Unequal: The 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.

7) Litigation Risk: 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.

8) Protections Already in Place: 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.

9) No Accountability: The bill lacks reporting requirements or deadlines for agency decisions. It opens the door to more bureaucracy, not better results.

These issues need to be addressed before bringing this legislation out of committee and to a vote of the legislature.

Thank you,
Tim Gates