

Submitter:

Roberta Reed

On Behalf Of:

Committee:

Senate Committee On Rules

Measure, Appointment or Topic:

SB1153

I strongly oppose SB 1153. It threatens Oregon's ability to manage water efficiently and responsibly through the use of water rights transfers at a time when new water rights are not available. A water right transfer is required whenever a water right holder seeks a change in point of diversion, point of appropriation, type of use, place of use, or any combination of these. This bill ignores existing public review requirements currently required through OWRD's water rights transfer process. By adding more superfluous layers of bureaucratic review, the bill would have a chilling effect on the efficient use of water throughout our state through the threat of litigation from activist third parties who desperately want this bill to pass.

By imposing vague and broad environmental assessments, this bill would severely restrict water users' ability to adapt to changing conditions. SB 1153 opens the door to years-long delays and costly litigation from third parties, without improving environmental protections. SB 1153 adds new, duplicative standards to a process already governed by strict anti-injury and anti-enlargement rules. The Oregon Water Resources Department is already stretched thin—this bill would add to an already overburdened system and provide benefit to no one, not the environment, not state agencies, and certainly not for agriculture!

Adding a new standard to water right applications would set a bad precedent. It would have the potential to take water rights away or reduce their diversion rates from legal water right holders against the intent of their legally granted right to water for their legal use of their water right. Water rights in Oregon and the west have long been debated, litigated and fought over for more than a century and adding a new standard to gauge against the already long established uses and metrics adds more burden to the right of Oregonians to access waters of the state for already defined beneficial uses. The term beneficial is by its definition already to be in the public's interest for the water right.

The people of Oregon have a right to use water without regulatory overreach.