



**February 3, 2016**  
**House Rural Communities, Land Use, and Water**  
**Representative Brian Clem, Chair**

**Testimony on House Bill 4113 - Task Force on Drought Emergency Response**  
**Presented by Tom Byler, Director and Racquel Rancier, Senior Policy Coordinator**

Thank you for the opportunity to provide testimony in support of House Bill 4113, a bill that would establish a task force on drought emergency response.

*Introduction*

Drought is not an abnormal occurrence in Oregon, with notable droughts in the 1930s, 1976-77, 1992, 2001-02, and 2015. Since 2001, in every year, except for three, at least one county in Oregon has received a drought declaration by the Governor. In 2015, Oregon experienced severe-to-extreme drought across the entire state, resulting in 25 counties receiving a drought declaration – more than any other year since 1992, when a statewide declaration was issued.

Droughts are a slow-moving disaster, in that impacts develop over time and may persist long after rain and snowfall returns. This can be seen by the January 26, 2016, U.S. Drought Monitor, which shows that 74 percent of the state continues to experience moderate-to-extreme drought. These conditions persist despite above-normal snowpack and above-normal precipitation.

*Drought Resiliency and Long-Term Solutions to Water Resources Needs*

The long-lasting effects of drought highlight the need to develop solutions to meet our water needs now and into the future. Such efforts have been underway for several years through actions of the Legislature, relating to the Water Resources Development Program (WRDP). The WRDP includes funding opportunities to help communities identify solutions to their water needs (SB 266 – 2015), evaluate the feasibility of those solutions (HB 1069 – 2008), and then implement water resources projects (SB 839 – 2013). These efforts will help Oregonians address their instream and out-of-stream water resources needs, increasing resiliency to drought by developing water conservation, reuse, storage, and other water resource projects.

*Drought Response and the Need for HB 4113*

The effects of drought are far-reaching – impacting agriculture, communities, fish, wildlife, and recreation – and water resource projects take time to plan, develop, and implement. The WRDP strengthens the State's ability to help communities with long-term water needs; however, the State also needs to ensure that it has effective tools to immediately respond to drought as it is occurring.

During drought, the Water Resources Department helps to respond to requests for assistance and information. However, the Department's ability to assist is rather limited, as the immediate emergency drought response tools are directed at existing water right holders, and essentially allow access to expedited water right transactions. Examples of existing tools include temporary drought permits to use groundwater, or temporary drought transfers to allow changes in how water is used. While there are a

number of other tools, they generally are not used, which may signal that they have little efficacy or that improvements should be considered.

In addition, during 2015, the Department noted several potential gaps in authorities and areas where additional resources would benefit the public. For example, some small water providers had challenges with water supplies, leading to the need for curtailment, emergency assistance, or water hauling. In addition, many streams experienced below-normal to record-low flows, posing challenges for fish. The Department does not have the ability to provide funding to assist communities with emergency water needs or drought preparedness, or to incentivize voluntary leases on critical streams for fisheries. The Department believes that a review of existing drought tools will help to identify other potential gaps and allow for more effective emergency drought response in the future.

#### *What the Bill Does*

HB 4113 establishes a taskforce to review and make recommendations on the tools and information needed for immediate emergency drought response. This task force, made up of a diverse set of interests with representation from different geographic regions, could: evaluate existing drought response tools and make recommendations to improve drought response; identify options to minimize the impact of drought on agriculture, municipalities, fish and wildlife, and other interests; propose tools to assist small water providers to anticipate drought risks and responses; identify data and resources needed to anticipate and understand drought impacts; and recommend improvements to information sharing during drought. The task force would report to the Legislature by November 1, 2016.

#### *-1 Amendment*

The -1 amendment broadens the scope of potential agricultural interests involved on the task force by replacing “irrigated agriculture” with “agriculture.” It also makes a technical non-substantive edit made by Legislative Counsel.

#### *Conclusion*

A review of immediate drought response tools is timely, given the widespread nature of the drought in 2015, which provides the opportunity to evaluate the effectiveness drought response tools not only in areas that have frequently experienced drought, but also in areas where droughts are rare. This is important because the levels of preparedness and the response needs may be different. Given that drought conditions are expected to increase in frequency in the future due to increased temperatures and reduced snowpack – much like what was experienced in 2015 – it is important for the State to be prepared to respond during severe drought conditions.

HB 4113 would establish a task force to ensure that the state is prepared to respond during a drought emergency. The Department urges your support of HB 4113 and adoption of the -1 amendment.