



HB 3053
Testimony of WaterWatch of Oregon
Submitted to the House Agriculture and Natural Resources Committee
March 28, 2017

Founded in 1985, WaterWatch is a non-profit river conservation group dedicated to the protection and restoration of natural flows in Oregon's rivers. We work to ensure that enough water is protected in Oregon's rivers to sustain fish, wildlife, recreation and other public uses of Oregon's rivers, lakes and streams. We also work for balanced water laws and policies. WaterWatch has members across Oregon who care deeply about our rivers, their inhabitants and the effects of water laws and policies on these resources.

WaterWatch opposes HB 3053 as written

As currently drafted, HB 3053 sets up a Task Force made up of seven seats to be filled by people who have the education, experience or other expertise relevant to investments, water diversion or delivery infrastructure or local or special government operation of water infrastructure. The Task Force is charged, with among other things, identifying "efficient and practical authorizations" favorable for promoting private investment in water diversion and delivery infrastructure owned or operated by an irrigation district, drainage district, water improvement district, water control district or other public body. The bill also mandates that Oregon Water Resources Department will staff the Task Force.

Our concerns with this bill include:

1. Balance of Interests: The bill does not specifically identify the balance of interests that would make up the Task Force. As currently drafted, the Task Force could be filled in its entirety with water user groups who would benefit directly from private investment in their infrastructure projects. There are many sectors interested in water infrastructure projects---including Tribes, NGOS, watershed councils, federal agencies, etc. If this Task Force is approved it should mandate a balanced membership, including, in particular, conservation groups that have experience with the Conserved Water Act and/or other measures to promote infrastructure projects that provide a public benefit.
2. Scope of the Task Force: It does not appear that the Task Force is planning to discuss the many issues surrounding the need for improved infrastructure/delivery. Notably, the bill does not state that this task force would be investigating measures related to infrastructure and delivery that would be beneficial to the public at large, such as efficiency projects and/or modern measurement/reporting devices. Instead, the purpose seems geared only at changing statutes so that it is more "efficient and practical" for private investment in water delivery/infrastructure.
3. Investments: It is unclear what is envisioned with regards to "promoting private investment" with relation to the entire portfolio used to fund infrastructure projects. Water developers routinely tap public funds to finance their private water delivery and/or infrastructure projects though funding sources such as SB 839, SB 1069, OWEB, NRCS and others. It is unclear what the interplay of this Task Force will be with those funding sources and conversations.

4. OWRD should not be forced to staff a Task Force that has no stated public benefit: This task force has no stated public benefit. At the same time the OWRD faces possible cuts of up to 15%. The OWRD is already overstretched and, in our opinion, does not currently have enough staff to meet its statutory obligations that benefit the public at large. In addition to the fiscal impact on OWRD, this bill binds “all agencies” to assist in the task force’s duties and to furnish information and advice. This open ended mandate could have substantial impacts on agency time/resources, for, again, no stated benefit to the public. We do not believe it prudent to spend limited public funds on this endeavor.

As drafted, this bill is set up to benefit irrigation districts, drainage districts, water control districts and a few others of the same design. If the named entities that would benefit from this bill want to gather to discuss incentivizing private investment for their private projects with no mandated public benefit, that seems like something they should do at their own expense, not that of Oregon taxpayers.

Without a stated public benefit, WaterWatch does not believe that limited general funds (including WRD staffing and the assistance of “all” state agencies) should be dedicated to this endeavor.

We would urge the Committee to vote no on HB 3053.

Thank you for your consideration of our comments.

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