



To: Chair Dembrow & Members of the Senate Environment & Natural Resources Committee
From: Tracy Rutten, League of Oregon Cities; Mark Landauer, Special Districts Association of Oregon
Date: May 4, 2017
RE: Support for Provisions of HB 2722

The League of Oregon Cities (LOC) and Special Districts Association of Oregon (SDAO) appreciate the opportunity to express our support for several of the specific provisions included in HB 2722.

The language in Section 3, subsection 1 (a) through (d) and Section 7, subsection 1 (a) through (d) is of significant importance to our municipal water supplies as outdoor irrigation can increase water use by 50% or more during the peak season/summer months.

During the drought of 2015, a number our municipalities received communication from concerned citizens who were caught in an awkward position where their municipal water provider was calling for conservation efforts in response to reduced water supply but, on the contrary, their homeowner's association was imposing fines for not maintaining an adequately green lawn. LOC and SDAO requested the introduction of SB 1529 during the 2016 legislative session to help address this issue. The bill made any requirements to irrigate void and unenforceable during specific instances of declared drought or water shortage conditions. SB 1529 was passed during the 2016 session but its provisions only applied to homeowner's associations. HB 2722 and the above noted language in Section 3 and Section 7 expand this concept to include both condominiums and planned communities.

While we believe that cities already have the authority to enforce water conservation and/or curtailment requirements under local ordinances, it is less clear as to whether other types of municipal water providers have that authority. This bill clarifies that authority and makes it abundantly clear that during times of declared drought or water supply shortage, municipal providers are well-positioned to manage limited supplies in a responsible manner. This is critical for us as we work to ensure adequate water supply for public health, public safety (including fire suppression) and for critical economic development purposes.

Finally, it is important to note municipal water providers are often required to adopt water management and conservation plans as a required condition under their water permits. Through policy adoption, the state of Oregon has signaled to local communities, and we agree, that conservation is a critical component of responsible water supply management and a very important tool for ensuring future water use. Reducing per capita water use means that we are less likely to have to find additional new water which in many areas of our state is incredibly hard to come by due to many water basins being fully allocated during peak use times of the year.