



Pediatric and Young Adult Oncology

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re: My testimony on transfers of water storage rights -- Senate Bill Number: SB 946
Senate Committee on Environment and Natural Resources

Dear Chair Dembrow, Vice Chair Olsen and Senators Bentz, Prozanski and Roblan,

SB 946 woefully fails as a matter of policy to protect the public interest or to enable the prudent use of the public's water resources. Rather, it would encourage and enable privatization and commercialization of water storage rights for the benefit of the permit holder and others who do not have a right to store water and who do not want to justify obtaining one. I urge you to reject SB 946.

The Oregon Water Resources Department's mandate should continue to be to review, prior to issuance, permits that would allow new water storage facilities. Such facilities have many impacts, not the least of which are public health and public safety. SB 946 would allow such facilities to escape adequate review. It would invite new places and types of storage that indeed are not in the public interest. It would let the fox into the hen house.

I am not aware of any identified situation at this time where there is a legitimate need that is in the public interest for water that is stored in one location to instead be stored elsewhere. Without a showing of a clear and substantial need for existing storage rights to be transferred, the law should not be changed to allow for such transfers.

Existing law allows a person or entity that has a need to create new storage facilities to do so. Permitting of such facilities involves sufficient review of the need for and the impact of such facilities. In contrast, allowing the holder of a storage permit merely to transfer the right to another site (as if the stored water were owned by the permit holder, which it is not), perhaps for a different purpose and in facilities that have not been scrutinized, would be unwise and bad policy. It is an invitation for abuse. It is contrary to the public interest. There should instead be rigorous review by the Oregon Water Resource Department of the impacts of storing water at a different site, but SB 946 does not allow for this.

Sincerely yours,

Archie Bleyer, M.D.

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