



Support HB 3103

Allowing Critical Access to Stored Water

BACKGROUND:

For over 30 years, municipal water providers in the Willamette Basin have been working with the U.S. Army Corps of Engineers, the Oregon Water Resources Department (OWRD), and other state agencies and stakeholders in the Basin to develop an integrated water resources management strategy to effectively plan for community water needs, agricultural irrigation needs, and endangered species protection. Significant progress has been made to reallocate the storage space in the 13 Willamette Basin Project reservoirs. This stored water is one of the few remaining water supplies to meet future needs within the basin.

Recently, this work led to Congressional approval of the Willamette Reallocation in the reauthorization of the Water Resources Development Act (WRDA) at the end of 2020. Now the state must implement a water right transaction called a “transfer” in order to access the stored water for multiple beneficial uses. This “transfer” to a “multi-purpose” use is also a requirement to protect fish flows allocated for the Endangered Species Act.

PROBLEM:

- OWRD recently determined they lacked statutory authority to accept and process character (type) of use transfer applications after decades of established practice.
- This issue came about as an unintended consequence of a legislative change in 1995 that changed water “right” to water “use.”
- OWRD’s determination eliminated a crucial administrative process needed for efficient and cost-effective transfers of water from one use to another.
- This leaves municipal water providers in the Willamette Basin without a viable path to access stored water for future needs.

SOLUTION:

- HB 3103 clarifies that OWRD has the ability to resume accepting and processing applications to change the use of stored water.
- HB 3103 will allow municipal water providers to access critical stored water to meet future demands without purchasing a new water right.

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