



WaterWatch of Oregon

Protecting Natural Flows In Oregon Rivers

SB 5545

Testimony of WaterWatch of Oregon

By Kimberley Priestley

Submitted to the Joint Ways and Means Natural Resources Subcommittee

March 22, 2021

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 and aquifers to sustain fish, wildlife, recreation and other public uses of Oregon's rivers, lakes, wetlands, groundwater dependent ecosystems 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.

Oregon Water Resources Department Budget

Basic management of Oregon's water resources is one of the state's most critical environmental and economic challenges. Most rivers and streams across the state are over-appropriated during the growing season; groundwater levels are also declining in many areas of the state. Climate change is adding increased pressures to Oregon's already stressed water resources.

The Oregon Water Resources Department has been chronically underfunded for decades. While there is widespread recognition of the importance of water to Oregon's economy and way of life and the dire need for more data and resources to better management our state's resources, there has not been commensurate investment provided by the legislature to ensure adequate management and protection of Oregon's increasingly scarce water resources. This is putting Oregon's environment and economy at risk.

As the legislature works to develop the 2021-23 budget, we would ask this committee to consider the following requests in relation to the OWRD budget.

I. Protect against Reductions in science/data/water management: Despite OWRD being chronically underfunded, the GRB is proposing reduction packages. Given the critical importance of responsible water management to this state, we respectfully request that the Committee reconsider the proposed cuts to the OWRD budget that relate to science, data and water management. Specifically, we request that the Committee protect against the following reduction packages (in whole or in part, noted below).

- **Package 090 Reductions:** This would permanently remove three positions: a water data technician, an assistant water master, and a NRS 2 groundwater hydrogeologist. It would also remove funding for gauging stations (\$165k), groundwater studies (\$301k) and observation wells (\$778k). These cuts will set water management backwards. In the face of increasingly complex and contentious water management issues, cutting existing management/science staff will serve to make existing problems worse.

- **Package 092—Reductions through vacancy savings, \$909k GF reduction.** Positions have not been identified yet, however, we have concerns that this will continue forward the vacancy savings in the groundwater program at OWRD that were gained in 2019. The gains to groundwater staff (6 positions) and USGS/OWRD groundwater studies that were included in the 2019-2021 Budget were the result of more than a decade of work. Oregon is not currently sustainably managing groundwater, in part because they do not have adequate data. These positions and data/studies are critical to ensure against the train wrecks we have seen in the Harney, Umatilla and other basins.

II. Support of GRB POPS: WaterWatch supports the following GRB POPS.

- **POP 101 (\$1.9 million GF and 3.52 FTE) Dam Safety:** This POP supports important dam safety work, including work on emergency preparedness, natural hazards and climate change.
- **POP 103, Fund Legal Expenses to prevent service impacts (\$800,000 GF):** OWRD has been facing litigation shortfalls in recent years; the result being that the agency is keeping important positions unfilled to balance their budget. This has undermined critical programs, including but not limited to, groundwater staff approved in the 2019-2021 budget.
- **POP 104 (HB 2142)—Maintain Water Rights and Dam Safety Services:** Revenue buys back 2.5 FTE of staff reductions in Water Right Services Division; otherwise 8.83 FTE lost in GRB. Comparable fee increases passed in 2009, 2013, 2017 on same rationale (increasing personnel costs) to prevent staff cuts. Maintains 50/50 split (fees/general fund) for costs of staff in water rights division (approved by Legislature in 2009).
- **POP 105 (HB 2143)—Maintain hydroelectric services at OWRD, DEQ and ODFW:** updates and simplifies annual fees paid by hydroelectric projects in order to maintain current service levels at OWRD, DEQ and ODFW. Positions are critical to ensuring fish, wildlife and other natural resource values are protected as required by hydro statutes.

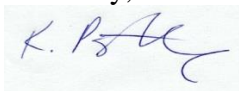
III. Support for ARB POPS not in GRB: In addition to protecting against OWRD reduction packages, key areas where additional funding beyond the GRB would help the OWRD sustainably manage the resource include:

- **POP 110 Foundational Data for Groundwater Studies (\$2,001,470 GF):** This POP would grant the agency additional staff to gather critical groundwater data, create water budgets, enter into USGS/OWRD Groundwater Studies and other work needed to sustainably manage groundwater across the state. This work enjoys support by a broad range of conservation, agricultural and municipal stakeholders (e.g. see record for HB 2018 on OLIS).
- **POP 113 Willamette Basin Reallocation (\$221,040 GF):** This POP would grant OWRD additional staff to implement the Willamette Basin Reallocation (1.6 million acre feet in the 13 reservoir Willamette Project). This capacity is necessary to work through numerous water right and contracting issues, to quantify and track both live flow and stored water for instream, municipal and agricultural uses, and manage who gets water in times of shortage.

- **POP 109 Field Staff (\$1,378,576 GF, in whole or in part):** Field staff are critical for the on the ground management of water rights across the state. OWRD capacity is far below what is needed to sustainable manage both instream and out-of-stream rights. If the Committee does not want to recommend funding of the package as a whole, we would request at least one position to work in the Crooked River Basin to help ensure full implementation of the federal Crooked River Act.
- **POP 102 Modernization Management and IT (\$818,781 GF):** While it may sound banal, this POP is incredibly important not only for the OWRD, but the public at large. Modernization of the state's data and online tools will enable better management as well as enhanced access and engagement in water issues by broader communities.
- **Place Based Planning Coordinator (Place Based Planning Coordinator, \$289, 683 GF, not included in GRB POP 108):** This position will work with stakeholders on the existing pilot place based planning efforts, as well as continue forward on work with implementation of any plans arising out of those pilots. The state's four pilot placed based plans are at various stages of development; it is important that adequate funding is provided to see the pilot PRB planning processes through to the end point.

Conclusion: Eighteen out of nineteen of Oregon's river basins are already over appropriated from the late spring to the early fall. At the same time, population growth and climate change are increasing pressures on Oregon's aquifers. Fish and other aquatic species across the state are imperiled. And, unfortunately, the state is also facing tough economic times. However, despite the challenging budgetary climate, it is critical that the state not undercut important science and water management work of this agency that would have ripple effects on Oregon's environment, economy and quality of life for decades to come.

Sincerely,



Kimberley Priestley, Sr. Policy Analyst
WaterWatch of Oregon