



Oregon Water Resources Department Proposed Fee Increase

HB 2142

Chair Helm and Members of the Committee,

Thank you for the opportunity to discuss HB 2142, which would raise water rights transactions fees from current levels for the Oregon Water Resources Department. While our respective organizations will each weigh in independently on the merits of the proposed fee increase, we wanted to voice our collective support for increased transparency and accountability within the Oregon Water Resources Department for its investment of these fee dollars.

Our organizations strongly support a well-funded, fully functional Water Resources Department. We recognize the many challenges the Department faces in managing Oregon's most complex and valuable resource, and do not envy the Department's task in managing its increasing workload in the face of shrinking natural resource agency budgets. We understand that in the course of managing the resource, the Department incurs costs that inevitably rise over time. However, the Department has struggled to articulate the basis for its fee increase, particularly as applications for water rights transactions are decreasing and workload in other program areas appears to be occupying staff resources. Compounding these issues, the Department is facing significant resource constraints across all program areas, which when combined with its ever increasing litigation costs, make our organizations concerned for the future viability of the Department.

We strongly encourage the House Water Committee and the Ways and Means Subcommittee on Natural Resources to work closely with the Department to increase transparency in its budget and begin to solve some of the critical issues that plague the Department. As it relates to HB 2142, we strongly encourage the legislature to acknowledge and begin to address the very real problems with the current water right and transfer application process. We request transparency from the Department as to the specific positions that will be funded by the fee increase and encourage the Department to pair the requested fee increase with a clear plan for improving its application processing time.

There are serious inefficiencies in the Department's application processing system that have gone unaddressed despite applicants raising them for the past several years. While there is a decrease in transfer applications, the Department is taking longer to process them. Further, though the Department reports a lower than expected number of water right transactions over the past few years, the Department hasn't markedly improved its processing time.

We acknowledge the challenges to Department is facing as it endeavors to manage its budget, especially in the wake of COVID-19. Our communities have also experienced economic pressure stemming from the pandemic. Just as funding is critical for the Department, value and accountability are important for Oregon's water users. Water users derive value from a system that can process water rights applications and transfer applications in a timely manner. As such, we have an interest in ensuring that any fee increases adopted by the Department will contribute to a workable and improved administrative process for water users, municipalities, and water districts who wish to obtain water right permits or conduct water rights transfers.

With this in mind, we urge the Water Resources Department to articulate a clear pathway that demonstrates precisely how this fee increase will improve the administrability of the system for the benefit of water users across the entire state. We also encourage the Department to adopt an outcome-driven plan that will target the longstanding and systematic inefficiencies in the water right and transfer application process.

Contacts:

April Snell, Oregon Water Resources Congress

Mary Anne Cooper, Oregon Farm Bureau Federation

Tracy Rutten Rainey, League of Oregon Cities

Jeff Stone, Oregon Association of Nurseries

J.R. Cook, Northeast Oregon Water Association

Tammy Dennee, Oregon Cattlemen's Association