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May 24, 2024

Senator Kate Lieber, Chair  
Senate Committee on Rules and Executive Appointments  
Oregon State Legislature  
Salem, Oregon 97301

Re: Senate Confirmation of Mr. Ivan Gall for Director, Oregon Water Resources Department

Chair Lieber and members of the committee:

This is a joint letter of qualified support for confirmation of Mr. Gall as Director of the Oregon Department of Water Resources. Before discussing the context of this support, we want to acknowledge Mr. Gall's long service to the agency and the state. The comments below are expectations and measures of success for any Director of the Department, with our concern focused on whether the culture and priorities of the Department can evolve to fit the water challenges of the 21st century. The new director must guide the agency away from its exclusive focus on water rights management through over-appropriation and regulation, towards a more holistic, integrated, coordinated, and adaptive approach to water management at the basin scale that *increases availability of water for all beneficial uses*.


To meet these overarching objectives, we expect to see quantifiable progress within the next 12-18 months in the following areas:

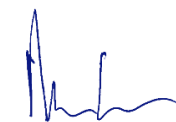
- As soon as practicable, conduct a 360-degree performance review of Department administrators and managers, and make changes or modifications to agency leadership as warranted based on that review and input from relevant internal and external sources.
- Describe whether and how the Department should be reorganized to transition the culture away from focusing exclusively on appropriation and regulation towards coordinated and integrated approaches at the basin-scale that increase public participation and involve communities as partners with the goal of achieving sustainable water management. Consider hiring a change management consultant to chart the course for how the Department will initiate and oversee that transition, including key milestones for measuring progress.
- Identify specific actions the Department will take in the next biennia to address the six areas for improvement identified in the January 15, 2024, letter from water experts to Governor Kotek entitled, "An Appeal for Gubernatorial Leadership to Modernize Oregon's Water Laws."

- Develop an actionable work plan to show how the Department will actively support Place-Based Integrated Water Resource Planning to enable the implementation of existing plans and assist additional regions of the state to participate in the program, including how these plans will be used in the Integrated Water Resources Strategy and how these plans intersect with existing agency functions and programs.
- Engage in meaningful conversations with diverse water interests in key areas across the state, such as near- or over-appropriated basins and areas developing or implementing state recognized place-based integrated water resources plans, to understand community priorities and opportunities to partner on sustainable water management.
- Identify a near-term strategy to publicly communicate whether there is surface water and/or groundwater available for appropriation in each of the basins across the state using best available science, as well as steps to reclassify basins for new uses where existing data shows that surface water or groundwater are fully or over-appropriated.
- Begin to shift available resources towards increasing available water for all beneficial uses and managing available supplies to maximize instream and out-of-stream benefits in a way that increases both flexibility and accountability using available tools.
- Complete the required update of the state Integrated Water Resources Strategy in a way that clearly prioritizes recommended actions and identifies the concrete steps that the agency, the legislature, and partners can take to implement those actions within the next 8 years.
- In consultation with other agency directors through the Governor’s Natural Resources Cabinet and the Water Core Team, lead meaningful change and improvement for all interagency work on water quantity permitting and management, reducing and eliminating inefficiencies and redundancies and fostering a spirit of cooperation and collaboration.
- We request that Mr. Gall provide us with a progress report on the actions identified above before the beginning of the 2025 Legislative Session, and at reasonable intervals thereafter.

Throughout our legislative service, we have strongly supported the Department and director with increased budget and policy changes designed to make the Department more capable of meeting the challenges of long-term water security and resilience. The actions above are similarly important to help ensure the Department has a strong foundation for success, both at this time of leadership transition and beyond. We believe these actions can reasonably be accomplished in the near-term, and we stand ready to partner with Mr. Gall and the Department on the critical work necessary to advance a sustainable water future for all Oregonians.

Sincerely,

  
 Representative Ken Helm  
 House District 27  
 Oregon State Legislature

  
 Representative Mark Owens  
 House District 60  
 Oregon State Legislature