



January 31, 2023

Senator Jeff Golden, Chair
Senator Fred Girod, Vice-Chair
Senate Committee on Natural Resources

Re: Trout Unlimited opposes Senate Bill 710

Dear Chair Golden, Vice-Chair Girod, and Members of the Committee,

Trout Unlimited (“TU”) is a non-profit organization dedicated to the conservation of cold-water fish (such as trout, salmon, and steelhead) and their habitats. TU has more than 350,000 members and supporters nationwide, including many members in Oregon.

SB 710 is intended to establish new criteria for determinations of whether a groundwater user impairs or interferes with a senior surface water user.

TU opposes SB 710.

Oregon law provides that the state may regulate or place conditions upon groundwater uses that impair or interfere with senior surface water uses. ORS 537.525(9); ORS 537.629(1); ORS 537.780(2)(b).

This bill would replace or significantly alter each of those three existing statutory authorities by narrowing the instances in which the state could invoke its regulatory authority over groundwater users. The bill would limit the state from acting until the point at which senior surface water uses are significantly harmed and could jeopardize water security for many senior rights.

The groundwater permitting framework in Oregon has resulted in many parts of the state being over appropriated. In some places, we are starting to see that junior groundwater user are negatively affecting senior surface water uses. To fix this problem, Oregon must be able to regulate groundwater users on a timely, efficient, and effective basis. Part of that includes “conjunctive” management of groundwater and surface water uses – since it is all hydrologically connected – and this bill would hinder progress in that direction to the detriment of senior water users, rivers, and fish.

Thank you for this opportunity to provide comments on this legislation, and please let me know if you have any questions.

Sincerely,

James Fraser
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