



The Nature Conservancy in Oregon
821 SE 14th Avenue
Portland, OR 97214-2537

tel 503 802-8100

fax 503 802-8199

nature.org/oregon

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House Committee on Agriculture, Land Use, Natural Resources, and Water

Testimony on HB 3419 -3 Amendment

Submitted by: Zach Freed, Sustainable Water Program Director

Co-Chair Helm, Co-Chair Owens, and Members of the Committee:

The Nature Conservancy **supports the -3 amendment for HB 3419**, which will clarify the fragmented statutory authority for water use measurement and reporting to enable evidence-informed water management in Oregon.

The Nature Conservancy (TNC) is a science-based, non-partisan organization committed to conserving the lands and waters on which all life depends. In Oregon, TNC has over 80,000 supporters and members in every community around the state, where we manage lands and waters in varied ecosystems and partner with ranchers, farmers, fishers, and environmental interests on some of the most challenging conservation issues facing people and nature.

One of the communities we collaborate with is the Harney Basin, where The Nature Conservancy is participating in ongoing rulemaking to implement a Serious Water Management Problem Area (SWMPA) to understand actual water use—which is different from, and more meaningful than, permitted “paper water” estimates of use. However, the existing SWMPA statute is prescriptive and limiting. Section 7(4) in the -3 Amendment to HB 3419 will increase management flexibility and ease implementation of water use measurement in the Harney Basin.

In contrast to many other western states, Oregon lacks foundational water measurement data to make informed water management decisions. Water use measurement is often a necessary prerequisite to implement modern management approaches, such as market-based solutions or voluntary agreements among groundwater users. As of 2022, only about 17% of water rights were required to measure and report water use. With recent changes to state agency authorities and increasing implementation of SWMPAs, that proportion is likely to increase quickly. The Nature Conservancy supports increasing the flexibility and funding of the Water Measurement Cost Share Program Revolving Fund to keep pace with increased adoption of water use measurement.

It’s critical for the Oregon Water Resources Department to know how much water is being diverted, and how quickly, and where. For that reason, The Nature Conservancy **supports HB 3419 -3**.

Thank you for the opportunity to comment.