

Submitter: Julie Niles-Fry
On Behalf Of:
Committee: Senate Committee On Rules
Measure, Appointment or Topic: SB1153

Dear Chair and Members of the Committee,

I respectfully submit this testimony in strong opposition to Senate Bill 1153.

While I support the goal of protecting Oregon's streams and wildlife, this bill imposes undue burdens on rural well owners—particularly family farmers, ranchers, and small landowners—without adequately addressing their practical needs or involving them in the bill's development.

SB 1153 would require the Oregon Water Resources Department (OWRD) to assess the potential impact of water right transfers on aquatic species and water quality, including conditions such as fish screens or mandatory water use measurement. Though well-intended, these vague and subjective criteria introduce new layers of regulatory uncertainty, legal risk, and expense—costs that fall disproportionately on small-scale users. Estimates suggest compliance could cost \$1,500 to \$5,000 per water source. For many rural residents, such expenses are prohibitive.

Regulatory Overreach and Lack of Clarity

Oregon already has one of the most complex water rights systems in the nation. SB 1153 adds even more bureaucracy by mandating undefined environmental reviews. Terms such as “harm to aquatic species” and “degradation of water quality” are not clearly defined, opening the door to inconsistent and potentially arbitrary decisions. This lack of clarity could discourage participation in legal transfer processes, undermining the very conservation and modernization efforts the state should be encouraging.

Impacts on Rural Communities and Equity Concerns

In regions like the Klamath Basin, where groundwater is already strained and flexibility is critical, SB 1153 threatens to paralyze essential water management. The Oregon Farm Bureau, representing over 6,500 family farms, has rightly voiced concern that the bill will delay or block water transfers needed to adapt to drought, shifting land use, or changes in crop planning.

Furthermore, urban areas and large industrial users—such as data centers—are not held to the same scrutiny, despite their outsized consumption. This disproportionate impact on rural Oregon deepens concerns about equity and fairness.

Process and Accountability Gaps

The bill was developed without sufficient consultation from agricultural stakeholders. As pointed out by Ryan Krabill in prior testimony, SB 1153 duplicates standards that already exist, increases litigation risk, and fails to address core structural issues, such as the OWRD's backlog of permits and its need for greater transparency and accountability.

Better Alternatives

I strongly urge lawmakers to drop SB 1153 and consider investigating these options if you wish to continue down this path:

- Exempt small-scale well owners and family farms from its scope;
- Clarify and narrow the review criteria to ensure fair, science-based evaluations;
- Streamline the water transfer process to support conservation and efficiency;
- Include agricultural and rural community stakeholders in any future revisions.

Conclusion:

Oregon's water policy should reflect a balance of environmental stewardship and rural viability. SB 1153, in its current form, risks undermining responsible landowners, limiting flexibility in drought response, and placing costly burdens on those least able to bear them—while doing little to solve actual water system challenges.

Thank you for considering my testimony. I respectfully urge you to oppose SB 1153 in its current form to protect Oregon's rural communities, promote equity, and advance effective, collaborative water solutions.

Sincerely,
Julie Niles-Fry