



BOARD OF COMMISSIONERS

110 N Court St. • P.O. Box 788
Heppner, OR 97836
541-676-5613
www.co.morrow.or.us

David Sykes, Chair
Jeff Wenzholz, Commissioner
August Peterson, Commissioner

June 4, 2025

Via Electronic Transmittal

Honorable Governor Kotek

RE: SB 1154 (2025)

Governor Kotek:

Thank you for proposing this Bill and for your support in the Lower Umatilla Basin Groundwater Management Area (LUBGWMA). Your effort to improve the process for establishing a Groundwater Management Area and to clarify roles and responsibilities is commendable. We understand your natural resources staff have been working with a group of stakeholders to modify this Bill, SB 1154. We respect the expertise of the numerous stakeholders and share here a county perspective on issues that may not yet have been raised. Our comments are directed at the most recent (18-page) version, as follows:

We understand a Local Advisory Committee will be appointed early in the process, when an "Area of Concern" is designated by the Environmental Quality Commission (EQC). That committee would continue in a similar capacity when and if a Groundwater Management Area is designated. Elevating this appointment to the EQC is appropriate.

1. We understand that funding for the Local Advisory Committee, as well as state agency work, has been raised over the past few months. Appropriately so. As you know, the LUBGWMA faced many challenges; the lack of funding was a premiere theme.
2. Section 3 of the Bill includes the appointment of a lead agency and other state agencies, as appropriate. We encourage you to consider adding a county representative(s) either as a team member or to serve in an ex officio capacity. The water designations create additional regulatory burdens and consequences that

warrant a local and a landowner perspective. Where each management area is unique, a local voice is fundamental throughout the process. Section 4 of the Bill would require "at least two homeowners or tenants" to be involved in the agency assessment and outreach plan. That is valuable.

3. Section 4 also assigns the groundwater management committee with responsibility to develop and implement a voluntary action plan and provide comments to the interagency team. The local committee would also have the responsibility to implement the action plan. This is an area where funding for dedicated staff is essential.

4. Section 6 outlines the responsibilities of three state agencies. Section 6(1) highlights the responsibilities of the DEQ to assemble information about septic systems. While this data collection is vital to understanding the impacts of septic systems, it is worth considering a program to collect data over time so it can be understood and mapped and ready for use when an emergency arises. We support Section 6(3) which outlines the role of the Oregon Health Authority and includes “strategies to work with the local public health authority.” We note that the Department of Land Conservation and Development (DLCD) is not included in the interagency list. We encourage the lead agency to consult with DLCD during the development of new designations. At a minimum, the actions of each state agency must comply with its respective State Agency Coordination (SAC) Program, as acknowledged by the Land Conservation and Development Commission (LCDC). We recognize many of the SAC Programs are outdated, however, they are required by Oregon Law ORS 197.180, and are fundamental to the Statewide Planning Program.

5. We commend Section 20 that authorizes Oregon Water Resources Department to approve an application for a public water system in an area designated as a water quality management area. This feature will prove valuable for the options identified in the Umatilla-Morrow County Drinking Water Roadmap Project currently underway.

6. The proposed absolute restrictions on feedlots in Section 27 may be more severe than necessary, especially restricting smaller feedlot operations.

7. The metering proposed in Section 39 would apply only to commercial wells, not individual, exempt domestic wells. As we understand it, OWRD would be required to adopt new Administrative Rules to implement.

Thank you for your dedication and consideration.

Signatures on page 3

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David Sykes, Chair



Jeff Wenholz, Commissioner



August Peterson, Commissioner

Cc: Geoff Huntington and Chandra Alena Ferrari, Natural Resources Staff

Courtney Werner-Crowell, Regional Solutions, Eastern Region