



Please oppose HB 4006, Water Law Exemptions for Columbia River Irrigators

HB 4006 exempts certain Umatilla Basin irrigators from key water laws that every other farmer in the state must adhere to. It fundamentally changes water right management of Columbia River surface water rights for a select group of irrigators who divert water between river miles 252 and 303. This bill sets dangerous precedent and raises concerns as to the effect on water right holders, ground water quality, public health, and imperiled Columbia River salmon/steelhead. The bill:

EXEMPTS Umatilla Irrigators from Oregon's TRANSFER AND PERMIT AMENDMENT LAWS:

Oregon law already has a loophole under which there's no environmental review when a water right holder proposes changing something about their water right. HB 4006 would take us further back in time by allowing irrigators to change their points of diversion (i.e., canal headgate location) or place of irrigation use (i.e., area the water is applied) without going through the state's transfer or permit amendment processes. This would allow a carve out for Umatilla basin irrigators to sidestep all the state's standards that protect other water right holders from injury and prevent enlargement of water rights.

Significantly expands irrigated agriculture, which could result in INCREASED DIVERSIONS FROM THE COLUMBIA RIVER which supports federally listed salmon and steelhead: While the bill does not change the "rate" of existing water rights (i.e., how quickly it's diverted), the bill allows use of water on unlimited acreage and is silent as to "duty" (i.e., how much is applied in the course of a season), which could significantly increase the "quantity" or "volume" of water diverted from the Columbia River.

Allows a significant increase in irrigated agriculture in the LOWER UMATILLA BASIN GROUNDWATER MANAGEMENT AREA (LUBGWMA), which risks undermining efforts to decrease nitrate inputs into groundwater that are harmful to human health.

UPENDS STATE WATER MANAGEMENT of Columbia River Water Rights: The bill prohibits the state from managing the public's water used under Columbia River water rights beyond their diversion point on the Columbia, which hamstring the state's ability to manage the actual water use.

CONTRAVENES good faith water right AGREEMENTS that bill proponents are operating under: HB 4006 would undermine long-standing water right agreements negotiated between the Governor's office, OWRD, ODFW, conservation groups, irrigators and others that put limits on acreage, duty and water use and require conditions meant to protect the public interest. This contravenes decades of cooperative regional work.

PLEASE OPPOSE HB 4006: Water issues in the Columbia River are incredibly complex—too complex to consider in a short session. The state has expended significant public funds for irrigation projects in the basin, participated in multi-stakeholder negotiations that have resulted in water right agreements that the bill proponents are operating under today, and led cooperative agreements on water use for the basin. This bill undermines investments, cooperation and trust. We urge you to oppose this bill that exempts a certain class of water right holders from important laws; doing so would not solve regional issues, it will amplify them.

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