

## HARTT Laura A \* WRD

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**From:** feuerle@everyactioncustom.com on behalf of Lois Feuerle  
<feuerle@everyactioncustom.com>  
**Sent:** Monday, May 6, 2024 7:13 AM  
**To:** WRD\_DL\_rule-coordinator  
**Subject:** Protect Oregon wildlife by approving sustainable groundwater rules

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Dear Water Policy Analyst Laura Hartt,

Impending climate change makes it more necessary than ever for Oregon to tighten Groundwater Management rules, especially regional demand for groundwater is growing.

I support the Oregon Water Resources Department's proposed rule changes that provide an important, positive step toward preventing further degradation of Oregon's overallocated groundwater systems.

Oregon's existing rules re: new groundwater permits have caused major groundwater-level declines across the state, which harm rivers, streams, lakes, wetlands & springs that rely upon inputs of cold, clean groundwater.

In turn, this harms groundwater-dependent ecosystems & freshwater species inhabiting them as well as existing surface-water rights, including the instream water rights for fish & other wildlife, not to mention domestic well owners who rely on groundwater for drinking and household use.

There are several important ways that the department's proposed rules will put Oregon on a better, more responsible path to groundwater sustainability.

- (1) the proposed rules define "reasonably stable" groundwater levels and prevent new groundwater permits from being issued when groundwater levels aren't reasonably stable.
- (2) the proposed rules establish the amount and type of data needed to determine whether groundwater levels are reasonably stable, and they require denial of a permit application if that data isn't available.
- (3) the proposed rules protect senior surface-water rights, including instream water rights for fish & other wildlife, by requiring a full accounting of the impacts of proposed pumping on hydraulically connected rivers and streams.

Although these changes are necessary, the proposed rules don't go far enough to address the current issues of Oregon's overallocated groundwater systems. Groundwater levels are falling at unsustainable rates in many areas in Oregon,. While the proposed rules prevent that rate of decline from worsening, they also don't do anything to slow or stop the current rate of decline & they don't address issues with permits currently in existence or permit applications in process prior to the rules' adoption.

Oregon's groundwater rules must go further to protect groundwater-dependent ecosystems and wildlife. In addition to considering whether groundwater sources are hydrologically connected to streams and rivers, the department must adopt rules that consider groundwater's connectivity to other water features like springs, wetlands and fens that could also be affected by pumping. These ecosystems provide important habitat for an amazing array of wildlife and plants that are increasingly at risk due to their interdependent connection to groundwater — levels of which have been declining statewide for decades due to outdated permitting rules.

Improving how Oregon issues new groundwater permits is long overdue, and these proposed rule changes must be implemented promptly to prevent further worsening of a severely damaged system. Adopting the proposed rules is the

bare minimum that Oregon should do to improve sustainable groundwater management for its residents and wildlife who depend on these important water sources.

Sincerely,  
Lois Feuerle  
OR 97214-4035