

HARTT Laura A * WRD

From: Elizabeth Brooks <brooksl@peak.org>
Sent: Wednesday, June 5, 2024 1:46 PM
To: WRD_DL_rule-coordinator
Subject: Do Not Adopt Proposed Groundwater Rules

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Dear Rules Coordinator Hartt,

We are a 5 generation family farm in the Willamette Valley and do not support additional rules for our water use.

I am concerned that the new groundwater rules as proposed by the department will significantly reduce my ability to obtain a new groundwater permit, regardless of which water basin I live in, even if that basins that is not currently experiencing a serious water level declines. The new rules also creates an unfair advantage to those who can pay for their own data in basins where there is not access to adequate data, creating inequitable access to water.

I ask that the Water Resources Commission do not adopt the new groundwater rules as proposed and instead use existing OWRD authorities that are site-specific and recognize that each watershed and aquifer in Oregon has unique attributes. OWRD already has the power to:

1. Prioritize the basins and sub-basins that have the greatest need for further studying of groundwater, i.e. areas with serious groundwater declines, frequent shortages, and measurable connectivity to over-allocated surface waters and request funding from the legislature to increase OWRD's groundwater data;
2. Require unperfected groundwater rights to demonstrate their beneficial use under water short conditions, limiting the development of existing uses to known quantities;
3. Use the existing authority within OWRD, including: Reclassifying groundwater uses, Enforcing OWRD's existing authority to shut off groundwater rights when certain conditions are met, and use "Serious Water Management Problem Area Authority" to designate and focus on priority areas, and
4. Implement processes for limiting pending groundwater applications and setting conditions where the department knows there is over-allocation

As a farmer, I agree that we need to protect Oregon's groundwater from over allocation, however, this proposed rule from OWRD will act as a de facto moratorium on Oregon's groundwater and is a one-size fits all solution that will not meet the needs of Oregon's diverse landscapes and water basins.

Sincerely,

Elizabeth Brooks
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