



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

Before the
Senate Environment and Natural Resources Committee
Senator Jackie Dingfelder, Chair

**TESTIMONY ON HB 2135A,
“REDUCING THE REQUIREMENT FOR MULTIPLE NEWSPAPER NOTICES”**

Presented by:
Oregon Water Resources Department
April 26, 2011

Thank you for the opportunity to present testimony on House Bill 2135A, a measure that streamlines Department transactions, by decreasing statutory requirements from placing notices in local newspapers from several weeks to two weeks in a row.

Background:

The Department formed an Efficiency Review Group that met throughout 2009-2010 to explore ideas that could help the Department be more efficient. This concept grew out of that exercise. Members of the Efficiency Review Group support this concept, and several have provided letters of support for this bill.

In many cases, the Department's pending transactions must be noticed in local newspapers, some requiring multiple-week notices. This increases the time and materials involved and does not take into account the fact that most in the water community now access this type of information in electronic form. This modification would affect nine of the Water Resources Department's statutes, related to actions such as water right applications, water right transfers, proposed orders, and more.

While the savings realized by the passage of this bill would primarily come in the form of time, they would also include a direct cost savings to the customer. Today, these costs are paid by the customer in transactions that are completely separate from application fees or any other fees.

Proposal:

HB 2135A adjusts each statute that requires a newspaper notice from the Department. In some cases, the Department is required to provide three or even four weekly notices via newspaper. The Bill proposes to require each notice for no more than two weeks in a row.

These notices are tracked by a very specific constituency – water right holders and water users who are interested in what their neighbors are proposing and who want to protect their water rights from adverse effects. These readers already have a relationship with the Department, by virtue of their water right or water use. In addition to newspaper notices, these readers have access to this type of information in three additional venues: (1) the Department’s weekly electronic notice, called the “Tuesday Notice”; (2) an archive of these electronic notices on the Department’s website; and (3) a hardcopy mailing, upon request and with a fee, for anyone interested in tracking water right notices in their community.

Conclusion:

Oregon’s House Energy, Environment, and Water Committee, in discussions with the Department, asked the Department to ensure that water users will continue to have ample opportunity to get important, water-related information. As a result, the Department has pledged to work with Extension offices, Oregon Farm Bureau, and other membership associations to make sure that water users know how to find Public Notices on the Department’s website, that they know how to request information specific to their own basin, and that they know who to call if they have questions.

While this bill represents movement further into the electronic era, it does NOT represent a decrease in information available to Oregon’s rural communities.