

June 15, 2008

To: Mike Carrier
From: Liz Frenkel
Re: H2O Strategies

I've been working on the LWVOR Statewide Water Study, particularly in the area of public water rights. I note in your May, 2008, Draft for H2O, presented to House Ag & NR on the 13th, that your strategy includes "Ecosystem Benefits: Balancing the Beneficial Uses of Water with Meeting the Need for Water to Provide Ecosystem Benefits". This concerns me as I believe it is inaccurately stated and inherently prejudicial to public uses.

My argument goes like this. Since 1987, Oregon has recognized in-stream water rights. That legislation declared that in-stream uses are beneficial, as well as out-of-stream uses. I think by balancing beneficial uses, one must include all "beneficial uses, even those that benefit the ecosystem. By presuming that ecosystem benefits should be balanced as a use, against all other beneficial uses, skews their public value. As we know, the value of a sunset does not compete fairly in an economic equation. A non-consumptive "beneficial use" has the same problem.

Is it too late to think about another way to present this category?

Sincerely,

Liz Frenkel
4954 SW Hollyhock Circle
Corvallis, OR 97333
(541) 754-6790