

A-Engrossed
House Bill 4101

Ordered by the House February 15
Including House Amendments dated February 15

Sponsored by Representative MCLANE; Representatives HUFFMAN, JENSON, KENNEMER, SCHAUFLEER, SHEEHAN, G SMITH, WAND, WHISNANT, Senator VERGER (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Makes findings regarding Columbia River Basin.

Directs Water Resources Department to aggressively pursue development of Columbia River Basin water resources.

[Establishes Columbia River Task Force to make recommendations for new allocations of specified amounts of water from sources within Columbia River Basin. Requires Water Resources Commission to consider and take action on task force recommendations. Requires commission to make written findings if commission disapproves allocation recommendation or is unable to make resources available in accordance with recommendation. Requires commission to include findings in annual progress report to interim committee of Legislative Assembly. Establishes deadlines for commencement and completion of basin program amendments necessary for allocation implementation.]

[Sunsets task force on date of convening of 2014 regular session.]

[Establishes Columbia River Basin Water Supply Development Account. Continuously appropriates moneys in account to Water Resources Department and specifies uses of account moneys. Assesses fee on new or additional withdrawals of Columbia River Basin water for agricultural or industrial use. Provides for deposit of fee to account. Eliminates fee on July 1, 2042.]

Requires department to achieve specified minimum increase in new water available for agricultural appropriation within Columbia River Basin by specified date. Requires annual report regarding progress toward minimum increase.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Columbia River Basin water; and declaring an emergency.

3 Whereas Oregon benefits greatly from production in the agricultural industry; and

4 Whereas Oregon has an interest in maintaining its aquifers and maintaining sufficient flows in
5 its rivers; and

6 Whereas Oregon has an interest in ensuring and improving upon the wise and efficient use of
7 its water resources; and

8 Whereas Oregon needs to increase the amount of acreage used for agricultural production,
9 particularly in the Columbia River Basin; and

10 Whereas an increase in agricultural production will result in new jobs and economic activity in
11 Oregon; and

12 Whereas the Legislative Assembly desires that the Water Resources Department prioritize the
13 development of water supply enhancement to ensure that Oregon realizes benefits from agriculture,
14 to protect Oregon interests regarding aquifers, river flows and water uses and to meet the need for
15 increased agricultural production; now, therefore,

16 **Be It Enacted by the People of the State of Oregon:**

17 **SECTION 1. The Legislative Assembly finds and declares that:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (1) It is the policy of this state to enhance the available supply of water in this state from
2 Columbia River Basin sources for consumptive and in-stream uses in order to promote the
3 economic welfare of the state.

4 (2) Columbia River Basin water supports irrigated agriculture, which is a traded sector
5 export industry that generates revenue from outside the state, resulting in substantial eco-
6 nomic benefits to residents of this state.

7 (3) An increase in agricultural production will result in new jobs and economic activity
8 in this state, but the ability to increase agricultural production is limited by a lack of avail-
9 able Columbia River Basin water during the summer irrigation season.

10 (4) During the dry summer months, consumptive and in-stream needs in the Columbia
11 River Basin sometimes go unsatisfied.

12 (5) This state must enhance its available water supplies by increasing the storage of
13 Columbia River Basin waters outside of the irrigation season for use in meeting consumptive
14 and in-stream needs during the dry summer months.

15 **SECTION 2.** (1) The Water Resources Department shall, in cooperation with other state
16 agencies, aggressively pursue the development of new water supplies for consumptive and
17 in-stream uses by the storage, conservation and reuse of Columbia River Basin waters, in-
18 cluding but not limited to increasing the amount of new water available for agricultural ap-
19 propriation within the Columbia River Basin by a minimum of 100,000 acre-feet above 2011
20 levels.

21 (2) In carrying out this section, the department and the state agencies cooperating with
22 the department shall consider new mitigation options for new surface water diversions.

23 **SECTION 3.** The Water Resources Department shall:

24 (1) Take all actions necessary and proper to achieve a minimum 100,000 acre-feet increase
25 in new water available for agricultural appropriation within the Columbia River Basin as
26 described in section 2 of this 2012 Act by December 31, 2018.

27 (2) Report annually to the Legislative Assembly regarding progress toward meeting the
28 minimum 100,000 acre-feet increase described in subsection (1) of this section. The depart-
29 ment shall make the final report under this subsection in the year that the department
30 achieves the minimum 100,000 acre-feet increase or 2019, whichever occurs first.

31 **SECTION 4.** This 2012 Act being necessary for the immediate preservation of the public
32 peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect
33 on its passage.

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