

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass
Vote: 4 - 0 - 1
Yeas: Bates, Beyer, Prozanski, Avakian
Nays: 0
Exc.: Atkinson
Prepared By: Sue Marshall, Administrator
Meeting Dates: 5/03

WHAT THE MEASURE DOES: Requires that the extension of an irrigation season by the Water Resources Commission be made by rule instead of by order.

ISSUES DISCUSSED:

- Administrative Procedures Act requirements related to notice
- Opportunities for public input through rulemaking

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Under current law, the Water Resources Commission may extend by order the irrigation season of a sub-basin beyond the period established by adjudication, administrative rule or by conditions imposed on a water right permit or certificate. The request to extend a season must come from the Oregon Department of Agriculture. In order to approve a request, the commission must find that water is available during the period of the proposed extension and that water use during the extended season will not impair in-stream flows necessary to protect aquatic resources or the maintenance of water quality standards. The commission believes that proposed changes to an irrigation season made by rule would allow for broader public involvement.

House Bill 2098 requires the extension of an irrigation season to be made by rule rather than by order.