

# House Bill 3087

Sponsored by Representative G SMITH

## 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 **as introduced**.

Eliminates requirement for development of integrated state water resources strategy.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the integrated state water resources strategy; amending ORS 536.220; and declaring an  
3 emergency.

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

5 **SECTION 1.** ORS 536.220 is amended to read:

6 536.220. (1) The Legislative Assembly recognizes and declares that:

7 (a) The maintenance of the present level of the economic and general welfare of the people of  
8 this state and the future growth and development of this state for the increased economic and gen-  
9 eral welfare of the people thereof are in large part dependent upon a proper utilization and control  
10 of the water resources of this state, and such use and control is therefore a matter of greatest  
11 concern and highest priority.

12 (b) A proper utilization and control of the water resources of this state can be achieved only  
13 through a coordinated, integrated state water resources policy, through plans and programs for the  
14 development of such water resources and through other activities designed to encourage, promote  
15 and secure the maximum beneficial use and control of such water resources, all carried out by a  
16 single state agency.

17 (c) The economic and general welfare of the people of this state have been seriously impaired  
18 and are in danger of further impairment by the exercise of some single-purpose power or influence  
19 over the water resources of this state or portions thereof by each of a large number of public au-  
20 thorities, and by an equally large number of legislative declarations by statute of single-purpose  
21 policies with regard to such water resources, resulting in friction and duplication of activity among  
22 such public authorities, in confusion as to what is primary and what is secondary beneficial use or  
23 control of such water resources and in a consequent failure to utilize and control such water re-  
24 sources for multiple purposes for the maximum beneficial use and control possible and necessary.

25 (2) The Legislative Assembly, therefore, finds that:

26 (a) It is in the interest of the public welfare that a coordinated, integrated state water resources  
27 policy be formulated and means provided for its enforcement, that plans and programs for the de-  
28 velopment and enlargement of the water resources of this state be devised and promoted and that  
29 other activities designed to encourage, promote and secure the maximum beneficial use and control  
30 of such water resources and the development of additional water supplies be carried out by a single  
31 state agency which, in carrying out its functions, shall give proper and adequate consideration to

**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 the multiple aspects of the beneficial use and control of such water resources with an impartiality  
2 of interest except that designed to best protect and promote the public welfare generally.

3 (b) The state water resources policy shall be consistent with the goal set forth in ORS 468B.155.

4 [(3)(a) *The Water Resources Department shall develop an integrated state water resources strategy*  
5 *to implement the state water resources policy specified in subsection (2) of this section. The department*  
6 *shall design the strategy to meet Oregon's in-stream and out-of-stream water needs.*]

7 [(b) *The Water Resources Department shall work in close cooperation with the Department of En-*  
8 *vironmental Quality and the State Department of Fish and Wildlife to develop the integrated state*  
9 *water resources strategy in consultation with other state, local and federal agencies, with other states,*  
10 *with Indian tribes, with stakeholders and with the public.*]

11 [(c) *The Water Resources Department, in close cooperation with the Department of Environmental*  
12 *Quality and the State Department of Fish and Wildlife, shall develop data on an ongoing basis to*  
13 *forecast Oregon's in-stream and out-of-stream water needs, including but not limited to in-stream,*  
14 *underground water, human consumption and water supply needs, for the purpose of developing and*  
15 *updating the integrated state water resources strategy.*]

16 [(d) *The integrated water resources strategy shall describe the following:*]

17 [(A) *Oregon's in-stream and out-of-stream water needs, including but not limited to ecosystem ser-*  
18 *vices, water quality and water supply needs.*]

19 [(B) *Objectives of the strategy.*]

20 [(C) *Actions that are designed to achieve the objectives of the strategy.*]

21 [(D) *Plans related to the challenges presented by climate change.*]

22 [(E) *Provisions to ensure communication and partnership with key stakeholders.*]

23 [(F) *Specific functions and roles to be played by state agencies, including but not limited to the*  
24 *State Department of Agriculture, the State Forestry Department, the Department of Human Services,*  
25 *the Oregon Business Development Department, the Department of Land Conservation and Development,*  
26 *the Oregon Watershed Enhancement Board, the State Parks and Recreation Department, the Depart-*  
27 *ment of State Lands and other relevant state agencies.*]

28 [(G) *Public policy options and recommendations.*]

29 [(H) *Relevant strategy factors, including but not limited to population growth and land use*  
30 *change.*]

31 [(I) *Recommendations of the Water Resources Department regarding the continuous monitoring of*  
32 *climate change effects on Oregon's water supply and regarding water user actions that are necessary*  
33 *to address climate change.*]

34 [(e)(A) *The Water Resources Commission shall give the Environmental Quality Commission, the*  
35 *State Department of Agriculture and the State Department of Fish and Wildlife notice of the integrated*  
36 *state water resources strategy prior to adoption of the strategy. The strategy shall take effect upon*  
37 *adoption by the Water Resources Commission.*]

38 [(B) *The Water Resources Commission shall review and update the integrated state water resources*  
39 *strategy every five years. The Water Resources Commission shall give notice to the Environmental*  
40 *Quality Commission, the State Department of Agriculture and the State Department of Fish and*  
41 *Wildlife prior to adopting any revisions of the strategy. Revisions of the strategy shall take effect upon*  
42 *the Water Resources Commission's adoption of the revised strategy by reference in rule.*]

43 [(4) *This section does not limit the authority granted the Environmental Quality Commission or the*  
44 *Department of Environmental Quality under ORS chapter 468B.*]

45 **SECTION 2. This 2011 Act being necessary for the immediate preservation of the public**

1 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
2 **on its passage.**

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