

House Bill 3358

Sponsored by Representative MCLANE

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**.

Allocates lottery moneys to Water Resources Department for purpose of issuing grants to ensure meeting existing water mitigation obligations in general zone within Deschutes River Basin. Establishes qualifications for entity receiving grant.

Declares emergency, effective July 1, 2013.

A BILL FOR AN ACT

1
2 Relating to obligations for the mitigation of ground water usage in the Deschutes River Basin; and
3 declaring an emergency.

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

5 **SECTION 1. There is allocated for the biennium beginning July 1, 2014, from the Admin-**
6 **istrative Services Economic Development Fund to the Water Resources Department, the**
7 **amount of \$5 million for the purpose of issuing grants to ensure the meeting of obligations**
8 **existing on the effective date of this 2013 Act to mitigate ground water usage in general**
9 **zones of impact within the Deschutes River Basin.**

10 **SECTION 2. (1) As used in this section:**

11 (a) **"Deschutes Basin ground water study area" has the meaning given that term in ORS**
12 **540.531.**

13 (b) **"Ground water mitigation bank" means an entity that acquires, holds and assigns**
14 **credits for use in meeting mitigation obligations in general zones of impact within the**
15 **Deschutes River Basin.**

16 (2) **Moneys allocated under section 1 of this 2013 Act from the Administrative Services**
17 **Economic Development Fund shall be deposited to the credit of the Water Resources De-**
18 **partment Water Right Operating Fund. Notwithstanding ORS 536.009, the Water Resources**
19 **Department may expend moneys deposited to the Water Resources Department Water Right**
20 **Operating Fund under this section only for the purpose of issuing grants to ground water**
21 **mitigation banks to ensure the meeting of obligations existing on the effective date of this**
22 **2013 Act to mitigate ground water usage in general zones of impact within the Deschutes**
23 **River Basin.**

24 (3) **Notwithstanding any project requirements established under ORS chapter 541, the**
25 **department may not require as a condition of receiving a grant under this section that a**
26 **ground water mitigation bank study, demonstrate or commit to any benefit from a project**
27 **fully or partially funded with a grant made under this section other than the benefit of cre-**
28 **ating, operating or building the capacity of ground water mitigation banks in the Deschutes**
29 **Basin ground water study area.**

30 (4) **The Water Resources Department shall ensure that a ground water mitigation bank**

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 receiving grant funding under this section is focused on the goal of creating a water supply
2 fund of at least \$5 million for the purposes of:

3 (a) Capitalizing the creation of 5,000 acre-feet of water for use in meeting existing miti-
4 gation obligations in general zones of impact within the Deschutes River Basin;

5 (b) Leveraging the supply fund assets with funding for restoration goals from the Oregon
6 Watershed Enhancement Board, the Department of Environmental Quality and the State
7 Department of Fish and Wildlife to mutually achieve the purposes of the water supply fund
8 and the restoration goals; and

9 (c) Selling water to recapitalize the water supply fund and assist the fund toward be-
10 coming self-sustaining.

11 **SECTION 3.** This 2013 Act being necessary for the immediate preservation of the public
12 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
13 July 1, 2013.

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