

A-Engrossed
Senate Bill 829

Ordered by the Senate April 24
Including Senate Amendments dated April 24

Sponsored by COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

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.

[Directs Environmental Quality Commission to adopt by rule methodology for Department of Environmental Quality to apply certain] **Establishes procedures for Department of Environmental Quality to follow in developing or selecting methodologies for applying** water quality standards in assessing waters of state **and prior to publishing draft assessments.**

[Requires department's assessments and follow-up assessments to be consistent with methodology.]

Requires Environmental Quality Commission to provide public comment opportunity on draft assessment methodologies.

A BILL FOR AN ACT

1
2 Relating to methodology for assessing quality of waters of the state.

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

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 468B.**

5 **SECTION 2. (1) The Department of Environmental Quality shall follow the procedures**
6 **set forth in subsection (2) of this section:**

7 (a) **When developing or selecting among methodologies for the assessment of waters of**
8 **the state pursuant to sections 303(d) and 305(b) of the Federal Water Pollution Control Act**
9 **(P.L. 92-500), as amended, including, but not limited to, methodologies for applying the nu-**
10 **meric and narrative standards of quality and purity for waters of the state adopted by the**
11 **Environmental Quality Commission by rule under ORS 468B.030, 468B.035 and 468B.048, and**
12 **any numeric interpretation of narrative standards; and**

13 (b) **Prior to publishing draft assessments of water bodies based on the methodologies**
14 **developed or selected under paragraph (a) of this subsection.**

15 (2) **When carrying out the duties set forth in subsection (1) of this section, the depart-**
16 **ment shall:**

17 (a) **Solicit independent scientific and technical input, including scientific peer review as**
18 **appropriate;**

19 (b) **Provide adequate public notice and an opportunity for public comment on draft as-**
20 **essment methodologies; and**

21 (c) **Provide an informational overview of the draft assessment methodologies before the**
22 **commission. The informational overview shall include:**

23 (A) **A discussion of the scope of the assessment effort; and**

24 (B) **A summary of key issues raised through scientific and technical review and public**
25 **comments and a discussion of how the department proposes to address the key issues raised.**

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 **(3) The commission shall provide an opportunity for public comment on the draft as-**
2 **essment methodologies during the commission meeting described in subsection (2)(c) of this**
3 **section.**

4 **(4) Nothing in this section may be interpreted to affect the obligations of the department**
5 **or the commission under ORS chapter 183 or ORS 468.020.**

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