

D R A F T

SUMMARY

Establishes certain requirements concerning integrated state water resources strategy.

Establishes Integrated State Water Resources Strategy Advisory Committee to advise Water Resources Commission and Water Resources Department on implementing and updating strategy.

A BILL FOR AN ACT

Relating to the integrated state water resources strategy; creating new provisions; and amending ORS 536.220.

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

SECTION 1. ORS 536.220 is amended to read:

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

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

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

(c) The economic and general welfare of the people of this state have been

1 seriously impaired and are in danger of further impairment by the exercise
2 of some single-purpose power or influence over the water resources of this
3 state or portions thereof by each of a large number of public authorities, and
4 by an equally large number of legislative declarations by statute of single-
5 purpose policies with regard to such water resources, resulting in friction
6 and duplication of activity among such public authorities, in confusion as
7 to what is primary and what is secondary beneficial use or control of such
8 water resources and in a consequent failure to utilize and control such water
9 resources for multiple purposes for the maximum beneficial use and control
10 possible and necessary.

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

12 (a) It is in the interest of the public welfare that a coordinated, integrated
13 state water resources policy be formulated and means provided for its
14 enforcement, that plans and programs for the development and enlargement
15 of the water resources of this state be devised and promoted and that other
16 activities designed to encourage, promote and secure the maximum beneficial
17 use and control of such water resources and the development of additional
18 water supplies be carried out by a single state agency that, in carrying out
19 its functions, shall give proper and adequate consideration to the multiple
20 aspects of the beneficial use and control of such water resources with an
21 impartiality of interest except that designed to best protect and promote the
22 public welfare generally.

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

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

29 [(b)] (4) The Water Resources Department shall work in close cooperation
30 with the Department of Environmental Quality and the State Department of
31 Fish and Wildlife to develop the [*integrated state water resources*] strategy,

1 in consultation with other state, local and federal agencies, with other
2 states, with Indian tribes, with stakeholders and with the public.

3 [(c)] **(5)(a)** The Water Resources Department, in close cooperation with
4 the Department of Environmental Quality and the State Department of Fish
5 and Wildlife, shall develop data on an ongoing basis to forecast Oregon's
6 in-stream and out-of-stream water needs, **at statewide and basin scales**
7 **that are appropriate for planning purposes.**

8 **(b) The data shall include** *[including]*, but **need not be** limited to, in-
9 stream, underground water, human consumption and water supply needs, for
10 the purpose of developing and updating the *[integrated state water*
11 *resources]* strategy.

12 [(d)] **(6)** The *[integrated state water resources]* strategy shall describe *[the*
13 *following]*:

14 [(A)] **(a)** Oregon's in-stream and out-of-stream water needs, including but
15 not limited to ecosystem services, water quality and water supply needs.

16 [(B)] **(b)** Objectives of the strategy.

17 [(C)] **(c)** Actions that are designed to achieve the objectives of the strat-
18 egy.

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

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

22 [(F)] **(f)** Specific functions and roles to be played by state agencies, in-
23 cluding but not limited to the State Department of Agriculture, the State
24 Forestry Department, the Department of Human Services, the Oregon Busi-
25 ness Development Department, the Department of Land Conservation and
26 Development, the Oregon Watershed Enhancement Board, the State Parks
27 and Recreation Department, the Department of State Lands and other rele-
28 vant state agencies.

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

30 [(H)] **(h)** Relevant strategy factors, including but not limited to popu-
31 lation growth and land use change.

1 [(I)] (i) Recommendations of the Water Resources Department regarding
2 the continuous monitoring of climate change effects on Oregon's water sup-
3 ply and regarding water user actions that are necessary to address climate
4 change.

5 [(e)(A)] (7) The Water Resources Commission shall give the Environ-
6 mental Quality Commission, the State Department of Agriculture and the
7 State Department of Fish and Wildlife notice of the [*integrated state water*
8 *resources*] strategy prior to adoption of the strategy. The strategy shall take
9 effect upon adoption by the Water Resources Commission.

10 **(8) The strategy may be implemented through development of**
11 **place-based integrated water resources strategies.**

12 **(9) To prioritize and implement actions recommended by the strat-**
13 **egy, the Water Resources Commission shall develop a biennial intera-**
14 **gency work plan.**

15 **(10) To facilitate implementation of the strategy, the Water Re-**
16 **sources Commission shall, by rule, clarify requirements for intera-**
17 **gency coordination.**

18 [(B)] (11)(a) The Water Resources Commission shall review and update
19 the [*integrated state water resources*] strategy every [*five*] **eight** years.

20 **(b) Before updating the strategy,** the Water Resources Commission
21 shall:

22 **(A) Conduct regional outreach and allow for public participation in**
23 **the process of updating the strategy.**

24 **(B) Consult with Indian tribes.**

25 **(C) Give notice to the Environmental Quality Commission, the State De-**
26 **partment of Agriculture and the State Department of Fish and Wildlife [*prior***
27 ***to adopting any revisions of the strategy*].**

28 **(c) Revisions of the strategy shall take effect upon the Water Resources**
29 **Commission's adoption of the revised strategy by reference in rule.**

30 **(12) In implementing and updating the strategy, the Water Re-**
31 **sources Commission shall consider and include actions recommended**

1 **in place-based integrated water resources strategies, if available.**

2 [(4)] (13) This section does not limit the authority granted the Environ-
3 mental Quality Commission or the Department of Environmental Quality
4 under ORS chapter 468B.

5 (14) To inform water-related policy and budget development, the
6 Water Resources Commission shall conduct interagency listening ses-
7 sions on a biennial basis.

8 **SECTION 2.** (1) The Integrated State Water Resources Strategy
9 Advisory Committee is established as an advisory committee to the
10 Water Resources Commission and the Water Resources Department
11 for the purpose of advising on implementation and updating of the
12 integrated state water resources strategy described in ORS 536.220.

13 (2) The commission shall determine the number of members of the
14 committee, who must represent a balance of:

- 15 (a) In-stream and out-of-stream interests;
- 16 (b) Local governments;
- 17 (c) Tribal governments; and
- 18 (d) Various regions in the state.

19 (3) The Governor shall appoint members of the committee, who
20 shall serve terms of two years.

21 (4) Members of the committee may not receive compensation for
22 service as members. However, subject to any applicable law regulating
23 travel and other expenses of state officers and employees, a member
24 may be reimbursed for actual and necessary travel and other expenses
25 incurred in the performance of official duties from moneys available
26 to the commission.

27 (5) The commission and the committee shall annually report, in the
28 manner described in ORS 192.245, to a committee or interim committee
29 of the Legislative Assembly related to water on:

- 30 (a) Implementation of the integrated state water resources strategy;
- 31 (b) Any policy changes needed to facilitate the implementation; and

1 **(c) Any investment needs related to the strategy.**

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