

House Bill 2813

Sponsored by Representative HELM; Representative OWENS (Presession filed.)

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**.

Requires Oregon Health Authority to ensure that communities in this state have access to safe drinking water.

Directs authority to establish grant program to provide grants to water suppliers to protect, restore or enhance sources of drinking water.

Establishes Community Drinking Water Enhancement and Protection Fund.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1 Relating to sources of drinking water; and prescribing an effective date.

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

3 **SECTION 1. As used in sections 1 to 3 of this 2023 Act, "safe drinking water," "water**
4 **supplier" and "water system" have the meanings given those terms in ORS 448.115.**

5 **SECTION 2. (1) The Oregon Health Authority shall ensure that communities in this state**
6 **that use surface water as a source of drinking water have access to safe drinking water in**
7 **quantities that are sufficient to satisfy community needs by facilitating the protection and**
8 **enhancement of drinking water sources and the recovery of impaired watersheds.**

9 **(2) To carry out subsection (1) of this section, the authority shall:**

10 **(a) Work with other state agencies, municipalities, water suppliers, tribal governments,**
11 **other organizations and willing landowners to identify, develop and provide financing and**
12 **technical assistance to water suppliers for the protection and enhancement of watersheds**
13 **that are sources of drinking water.**

14 **(b) Identify and make publicly available a list of state and federal resources for protecting**
15 **or enhancing watersheds that are sources of drinking water and other resources for en-**
16 **hancing water systems.**

17 **(c) Assist with and coordinate state and local government efforts to obtain and utilize**
18 **the resources described in paragraph (b) of this subsection.**

19 **(d) Identify and promote opportunities for green infrastructure projects or other projects**
20 **to protect or enhance watersheds that are sources of drinking water.**

21 **(e) Coordinate with the Department of Environmental Quality, the Oregon Watershed**
22 **Enhancement Board, the State Forestry Department, the Oregon Business Development**
23 **Department or other relevant state agencies to facilitate the funding or implementation of**
24 **green infrastructure projects or programs or other projects or programs to enhance or**
25 **protect drinking water sources.**

26 **SECTION 3. (1) The Oregon Health Authority, in consultation with the Oregon**
27 **Watershed Enhancement Board, shall establish a program to provide grants to water sup-**
28 **pliers to protect, restore or enhance sources of drinking water.**
29

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 (2) Grants awarded under this section shall be used by grant recipients for:

2 (a) Acquiring lands where the protection, enhancement or restoration of those lands will
3 benefit a drinking water source used by the water supplier; or

4 (b) Entering into covenants, easements or similar agreements to protect lands described
5 in paragraph (a) of this subsection.

6 (3)(a) Grants awarded under the program may not exceed \$3,000,000.

7 (b) The authority shall award grants under the program on a rolling basis.

8 (4)(a) Applications for a grant under this section shall be made in the form and manner
9 prescribed by the authority. The authority shall forward completed applications to the board.

10 (b) The board, in consultation with the Department of Environmental Quality, the State
11 Forestry Department and the Oregon Business Development Department, shall review com-
12 pleted grant applications, rank the grant applications based on criteria established by the
13 authority by rule under subsection (5) of this section and make recommendations to the
14 authority regarding approval of the grant applications.

15 (c) After receiving and taking into account the recommendations of the board, the au-
16 thority shall approve or deny grant applications received by the authority under this sub-
17 section. If the authority denies a grant application, the authority shall notify the applicant
18 in writing of the reason or reasons that the grant application was denied.

19 (5) The authority, in consultation with the board, shall adopt rules for the administration
20 of the grant program established under this section. Rules adopted under this subsection
21 may include, but need be limited to:

22 (a) Eligibility criteria for water suppliers, including but not limited to requirements that
23 eligible water suppliers serve rural communities, coastal communities, communities experi-
24 encing lower incomes or communities that are at or below a specified population level;

25 (b) Requirements for grant applications and the grant application process;

26 (c) Criteria for ranking grant applications;

27 (d) Requirements setting forth the amount of matching funds a grant applicant must
28 provide to be eligible to receive a grant;

29 (e) A schedule for when grant applications are due and grants will be awarded; or

30 (f) Provisions setting forth how the authority will verify that grant funds have been used
31 for the purposes for which the grant was awarded.

32 **SECTION 4.** The Community Drinking Water Enhancement and Protection Fund is es-
33 tablished in the State Treasury, separate and distinct from the General Fund. Interest
34 earned by the Community Drinking Water Enhancement and Protection Fund shall be cred-
35 ited to the fund. Moneys in the fund are continuously appropriated to the Oregon Health
36 Authority for the purposes of carrying out sections 2 and 3 of this 2023 Act.

37 **SECTION 5.** In addition to and not in lieu of any other appropriation, there is appropri-
38 ated to the Oregon Health Authority, for the biennium beginning July 1, 2023, out of the
39 General Fund, the amount of \$5,000,000, for deposit in the Community Drinking Water En-
40 hancement and Protection Fund established under section 4 of this 2023 Act.

41 **SECTION 6.** This 2023 Act takes effect on the 91st day after the date on which the 2023
42 regular session of the Eighty-second Legislative Assembly adjourns sine die.