

HOUSE AMENDMENTS TO HOUSE BILL 3099

By COMMITTEE ON AGRICULTURE, LAND USE, NATURAL RESOURCES, AND
WATER

April 4

- 1 In line 2 of the printed bill, after “watershed” insert “; and prescribing an effective date”.
- 2 Delete lines 4 through 8 and insert:
- 3 **“SECTION 1. (1) Oregon Consensus at Portland State University and Oregon State Uni-**
- 4 **versity shall establish a collaborative process for:**
- 5 **“(a) Developing a shared understanding of water management in the Chewaucan River**
- 6 **watershed; and**
- 7 **“(b) Identifying broadly supported actions related to the Chewaucan River watershed that**
- 8 **will strive to:**
- 9 **“(A) Meet water needs, including needs for agricultural operations, communities, Lake**
- 10 **Abert, wet meadows and fish and wildlife;**
- 11 **“(B) Address the ecological health of Lake Abert and the entire Chewaucan River**
- 12 **watershed; and**
- 13 **“(C) Consider social, economic and environmental benefits and impacts.**
- 14 **“(2) The process must be guided by a governance agreement that describes conditions for**
- 15 **participation, the scope of the collaborative process, how decisions will be made and how the**
- 16 **process will:**
- 17 **“(a) Be developed by a collaborative group that represents a balance of interests, in-**
- 18 **cluding but not limited to interests in in-stream and out-of-stream water;**
- 19 **“(b) Address current and future in-stream and out-of-stream water needs;**
- 20 **“(c) Promote contemplation of actions that are consistent with the state water resources**
- 21 **policy as defined in ORS 536.007 and water-related state laws that are in effect on the effec-**
- 22 **tive date of this 2023 Act;**
- 23 **“(d) Be developed through an open and transparent process that fosters public partic-**
- 24 **ipation; and**
- 25 **“(e) Be developed in consultation with the Department of Environmental Quality, the**
- 26 **State Department of Fish and Wildlife, the Water Resources Department and affected**
- 27 **federally recognized Indian tribes.**
- 28 **“(3) The process may not delay or preclude the activities of agencies, including activities**
- 29 **such as applying for in-stream water rights, regulating water use, managing water rights,**
- 30 **collecting water-related data and performing technical analyses.**
- 31 **“(4) The process may not interfere with water appropriations granted on or before the**
- 32 **effective date of this 2023 Act for privately held surface and ground water rights to use water**
- 33 **from the Chewaucan River watershed and the tributaries of the watershed.**
- 34 **“(5) The process may not delay or preclude the activities of private landowners, including**
- 35 **activities such as applying for new water rights, for water right transfer, for changes in**

1 points of diversion or appropriation or for irrigations uses, or any other activities allowed
2 under water-related state laws.

3 **“SECTION 2.** Section 1 of this 2023 Act is repealed on June 30, 2025.

4 **“SECTION 3.** (1) The State Department of Fish and Wildlife and the Water Resources
5 Department shall undertake activities related to the Chewaucan River watershed and Lake
6 Abert, including but not limited to the following activities:

7 **“(a)** Collecting data and information, and performing technical analyses, to develop an
8 improved understanding of water management and the hydrologic system.

9 **“(b)** Collecting data and information, and performing technical analyses, related to fish
10 and wildlife, including information and analyses about the presence, distribution and water
11 needs of the fish and wildlife.

12 **“(c)** Developing a refined hydrologic analysis that assesses water inflows, water outflows
13 and changes in water storage.

14 **“(d)** Supporting collaborative processes, public participation and the resolution of com-
15 plex issues related to water management.

16 **“(2)** The State Department of Fish and Wildlife and the Water Resources Department
17 may contract for performance of the activities described in subsection (1) of this section.

18 **“SECTION 4.** In addition to and not in lieu of any other appropriation, there is appro-
19 priated to the Higher Education Coordinating Commission, for the biennium beginning July
20 1, 2023, out of the General Fund, the amount of \$420,000, for distribution to Oregon Consen-
21 sus at Portland State University, which must be used for the purposes described in section
22 1 of this 2023 Act and may be used for awarding grants and stipends to participants in the
23 collaborative process described in section 1 of this 2023 Act.

24 **“SECTION 5.** In addition to and not in lieu of any other appropriation, there is appro-
25 priated to the Higher Education Coordinating Commission, for the biennium beginning July
26 1, 2023, out of the General Fund, the amount of \$150,000, for distribution to Oregon State
27 University, which must be used for the purposes described in section 1 of this 2023 Act.

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