

A-Engrossed
House Bill 3100

Ordered by the House March 28
Including House Amendments dated March 28

Sponsored by COMMITTEE ON AGRICULTURE, LAND USE, NATURAL RESOURCES, AND WATER (at the request of Representative Ken Helm)

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.

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 matters related to integrated state water resources strategy.]

A BILL FOR AN ACT

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

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

(a) It is in the interest of the public welfare that a coordinated, integrated state water resources policy be formulated and means provided for its enforcement, that plans and programs for the de-

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 velopment and enlargement of the water resources of this state be devised and promoted and that
 2 other activities designed to encourage, promote and secure the maximum beneficial use and control
 3 of such water resources and the development of additional water supplies be carried out by a single
 4 state agency that, in carrying out its functions, shall give proper and adequate consideration to the
 5 multiple aspects of the beneficial use and control of such water resources with an impartiality of
 6 interest except that designed to best protect and promote the public welfare generally.

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

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

11 [(b)] (4) The Water Resources Department shall work in close cooperation with the Department
 12 of Environmental Quality, **the Oregon Watershed Enhancement Board, the State Department**
 13 **of Agriculture** and the State Department of Fish and Wildlife to develop the integrated state water
 14 resources strategy, in consultation with other state, local and federal agencies, with other states,
 15 with Indian tribes, with stakeholders and with the public.

16 [(c)] (5) The Water Resources Department, in close cooperation with the Department of Envi-
 17 ronmental Quality, **the State Department of Agriculture** and the State Department of Fish and
 18 Wildlife, shall develop data on an ongoing basis to forecast Oregon's in-stream and out-of-stream
 19 water needs, including but not limited to in-stream, [*underground*] **ground** water, human consump-
 20 tion, **irrigated agriculture** and water supply needs, for the purpose of developing and updating the
 21 integrated state water resources strategy.

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

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

25 (b) **Critical water issues at the state level and within water basins across this state.**

26 [(B)] (c) Objectives of the strategy.

27 [(C)] (d) Actions that are designed to achieve the objectives of the strategy.

28 [(D)] (e) Plans [*related to*] **and actions concerning water-related natural hazards and** the
 29 challenges presented by climate change.

30 [(E)] (f) Provisions to ensure communication [*and partnership*] **and engagement with the pub-**
 31 **lic.**

32 (g) **Provisions to promote meaningful engagement with environmental justice communi-**
 33 **ties, as defined in ORS 182.535, consistent with the requirements of ORS 182.545.**

34 (h) **Provisions to promote partnerships with tribes, public bodies, as defined in ORS**
 35 **174.109, and key stakeholders to implement recommended actions, as appropriate.**

36 (i) **How the integrated state water resources strategy will be implemented at multiple**
 37 **scales in a balanced, equitable and integrated manner.**

38 (j) **How to support implementation of priority actions recommended in other relevant**
 39 **state-developed or state-recognized plans or strategies.**

40 [(F)] (k) Specific functions and roles to be played by state agencies, including but not limited
 41 to **the Department of Environmental Quality, the State Department of Fish and Wildlife,** the
 42 State Department of Agriculture, the State Forestry Department, the Department of Human Ser-
 43 vices, the Oregon Business Development Department, the Department of Land Conservation and
 44 Development, the Oregon Watershed Enhancement Board, the State Parks and Recreation Depart-
 45 ment, **the Oregon Health Authority,** the Department of State Lands and other relevant state

1 agencies, along with provisions to achieve interagency coordination.

2 **(L) Provisions to achieve coordination with federal agencies and states that neighbor**
3 **Oregon.**

4 [(G)] **(m)** Public policy options and recommendations.

5 [(H)] **(n)** Relevant strategy factors, including but not limited to population growth and land use
6 change.

7 [(I)] **(o)** Recommendations [of the Water Resources Department] regarding the continuous moni-
8 toring of climate change effects on Oregon's water supply and regarding water user actions that are
9 necessary to address climate change.

10 **(p) Processes by which a biennial work plan will be developed and by which implementa-**
11 **tion of the work plan will be coordinated.**

12 **(q) A process by which the Water Resources Department shall develop the report de-**
13 **scribed in subsection (9) of this section.**

14 [(e)(A)] **(7) Before adopting or revising the integrated state water resources strategy,** the
15 Water Resources Commission shall give **notice to** the Environmental Quality Commission, **the**
16 **Oregon Watershed Enhancement Board,** the State [Department] **Board of Agriculture,** [and] the
17 State [Department of] **Fish and Wildlife Commission and any other agency referenced in the**
18 **strategy** [notice of the integrated state water resources strategy prior to adoption of the strategy]. The
19 strategy, **and any revisions to the strategy,** shall take effect upon adoption by the Water Re-
20 sources Commission.

21 [(B)] **(8)** The Water Resources Commission shall review and update the integrated state water
22 resources strategy **at least** every [five] **eight** years. [The Water Resources Commission shall give
23 notice to the Environmental Quality Commission, the State Department of Agriculture and the State
24 Department of Fish and Wildlife prior to adopting any revisions of the strategy. Revisions of the
25 strategy shall take effect upon the Water Resources Commission's adoption of the revised strategy by
26 reference in rule.]

27 **(9) Biennially, the Water Resources Department shall report, in the manner described in**
28 **ORS 192.245, to a committee or interim committee of the Legislative Assembly related to**
29 **water or natural resources on:**

30 **(a) Progress implementing recommended actions in the integrated state water resources**
31 **strategy.**

32 **(b) Whether the integrated state water resources strategy is addressing critical issues**
33 **and achieving the objectives described in the integrated state water resources strategy.**

34 **(c) Activities that the department anticipates will be undertaken during the next legis-**
35 **lative session to advance the integrated state water resources strategy.**

36 **(d) Any policy changes needed to facilitate implementation of the integrated state water**
37 **resources strategy.**

38 **(e) Any needed investments related to implementation or updating of the integrated state**
39 **water resources strategy.**

40 **(f) Any other information that will aid the Legislative Assembly in providing oversight**
41 **of, and supporting implementation of and updates to, the integrated state water resources**
42 **strategy.**

43 **(10) All agencies of state government, as defined in ORS 174.111, shall:**

44 **(a) Assist the Water Resources Department, as requested, in performing the duties de-**
45 **scribed in this section; and**

1 **(b) Furnish information as necessary to develop, update and implement the integrated**
2 **state water resources strategy and to develop the biennial report described in subsection (9)**
3 **of this section.**

4 ~~[(4)]~~ **(11)** This section does not limit the authority granted the Environmental Quality Commis-
5 sion or the Department of Environmental Quality under ORS chapter 468B.

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