

Requested by Representative OWENS

**PROPOSED AMENDMENTS TO
HOUSE BILL 3099**

1 In line 2 of the printed bill, after “watershed” insert “; and prescribing
2 an effective date”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1. (1) Oregon Consensus at Portland State University
5 and Oregon State University shall establish a collaborative process for:**

6 **“(a) Developing a shared understanding of water management in
7 the Chewaucan River watershed; and**

8 **“(b) Identifying broadly supported actions related to the Chewaucan
9 River watershed that will strive to:**

10 **“(A) Meet water needs, including needs for agricultural operations,
11 communities, Lake Abert, wet meadows and fish and wildlife;**

12 **“(B) Address the ecological health of Lake Abert and the entire
13 Chewaucan River watershed; and**

14 **“(C) Consider social, economic and environmental benefits and im-
15 pacts.**

16 **“(2) The process must be guided by a governance agreement that
17 describes conditions for participation, the scope of the collaborative
18 process, how decisions will be made and how the process will:**

19 **“(a) Be developed by a collaborative group that represents a balance
20 of interests, including but not limited to interests in in-stream and
21 out-of-stream water;**

1 **“(b) Address current and future in-stream and out-of-stream water**
2 **needs;**

3 **“(c) Promote contemplation of actions that are consistent with the**
4 **state water resources policy as defined in ORS 536.007 and water-**
5 **related state laws that are in effect on the effective date of this 2023**
6 **Act;**

7 **“(d) Be developed through an open and transparent process that**
8 **fosters public participation; and**

9 **“(e) Be developed in consultation with the Department of Environ-**
10 **mental Quality, the State Department of Fish and Wildlife, the Water**
11 **Resources Department and affected federally recognized Indian tribes.**

12 **“(3) The process may not delay or preclude the activities of agen-**
13 **cies, including activities such as applying for in-stream water rights,**
14 **regulating water use, managing water rights, collecting water-related**
15 **data and performing technical analyses.**

16 **“(4) The process may not interfere with water appropriations**
17 **granted on or before the effective date of this 2023 Act for privately**
18 **held surface and ground water rights to use water from the**
19 **Chewaucan River watershed and the tributaries of the watershed.**

20 **“(5) The process may not delay or preclude the activities of private**
21 **landowners, including activities such as applying for new water rights,**
22 **for water right transfer, for changes in points of diversion or appro-**
23 **priation or for irrigations uses, or any other activities allowed under**
24 **water-related state laws.**

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

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

30 **“(a) Collecting data and information, and performing technical an-**

1 analyses, to develop an improved understanding of water management
2 and the hydrologic system.

3 “(b) Collecting data and information, and performing technical an-
4 alyses, related to fish and wildlife, including information and analyses
5 about the presence, distribution and water needs of the fish and
6 wildlife.

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

9 “(d) Supporting collaborative processes, public participation and the
10 resolution of complex issues related to water management.

11 “(2) The State Department of Fish and Wildlife and the Water Re-
12 sources Department may contract for performance of the activities
13 described in subsection (1) of this section.

14 “SECTION 4. In addition to and not in lieu of any other appropri-
15 ation, there is appropriated to the Higher Education Coordinating
16 Commission, for the biennium beginning July 1, 2023, out of the Gen-
17 eral Fund, the amount of \$420,000, for distribution to Oregon Consen-
18 sus at Portland State University, which must be used for the purposes
19 described in section 1 of this 2023 Act and may be used for awarding
20 grants and stipends to participants in the collaborative process de-
21 scribed in section 1 of this 2023 Act.

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

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

