

A-Engrossed
House Bill 2251

Ordered by the House April 15
Including House Amendments dated April 15

Sponsored by Representatives OWENS, HELM; Representative WILDE (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.

[Appropriates moneys, out of General Fund, to Water Resources Department for purposes of planning water use on regional and local bases, developing system for identifying local and regional water use needs and prioritizing among local and regional water use needs and implementing local and regional water use strategies and plans.]

[Takes effect on 91st day following adjournment sine die.]

Directs Water Resources Department to provide staff support to work through complex water basin issues and help implement agency priorities in priority water basins.

Directs office of Governor to work with Regional Solutions Program to convene and support bi-state task force to develop mitigation commitments related to implementation of certain agreements.

Directs chair of Water Resources Commission and two designees of Speaker of House of Representatives to co-convene Regional Water Planning and Management Task Force to develop framework for state-supported water planning and management.

Directs department to award grants to federally recognized Indian tribes and county governments for purposes related to community water forums. Requires Association of Oregon Counties to provide related staff support.

Appropriates moneys to Governor and agencies for purposes related to Act.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to regional water management; and declaring an emergency.

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

4 **SECTION 1. The Water Resources Department shall provide staff support to work**
5 **through complex water basin issues and help implement agency priorities in priority water**
6 **basins, including but not limited to the Deschutes River and Willamette River basins and**
7 **other water basins determined by the department.**

8 **SECTION 2. To develop short-term and long-term mitigation commitments that imple-**
9 **ment agreements developed through the Columbia River-Umatilla Solutions Task Force**
10 **Declaration of Cooperation signed in 2012, the office of the Governor shall work with the**
11 **Regional Solutions Program to convene and support a bi-state task force that includes, at**
12 **minimum, the office of the Governor, state representatives from Oregon and Washington,**
13 **affected federal agencies, affected state agencies, local governments, federally recognized**
14 **Indian tribes, academic institutions and a balanced representation of water stakeholders,**
15 **such as water users and conservation organizations.**

16 **SECTION 3. (1) The chair of the Water Resources Commission, or a designee of the**
17 **chair, and two members of the House Committee on Water designated by the Speaker of the**
18 **House of Representatives shall co-convene a Regional Water Planning and Management Task**
19 **Force that is charged with developing an agreed-upon framework and path forward for**

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 state-supported water planning and management at the level of the water region or basin.

2 (2) In consultation with a neutral facilitation team, the co-conveners shall:

3 (a) Determine, and state in a charter, the composition, purpose and decision-making
4 processes of the task force. The task force must include, at minimum, legislators, state
5 agencies related to water, federally recognized Indian tribes, local governments and other
6 members that represent a balance of interests, both in-stream and out-of-stream, and a
7 balance of water region and basin interests.

8 (b) Appoint members of the task force.

9 (3) To manage task force processes, the task force shall use a neutral facilitator provided
10 by the Oregon Consensus program of the Mark O. Hatfield School of Government at Portland
11 State University. The processes must be designed to build on and integrate with the state
12 integrated water resources strategy and the 100-year water investment vision.

13 (4) In developing the agreed-upon framework and path forward, the task force must ex-
14 amine:

15 (a) The structure and approach of state-supported regional water planning and imple-
16 mentation in other states;

17 (b) The data and information, capacity and investments that are needed to support re-
18 gional water planning and implementation;

19 (c) The readiness of water basins and agencies related to water to support regional water
20 planning and management with existing resources and whether additional resources are
21 needed;

22 (d) Any potential barriers and existing opportunities for pursuing regional approaches to
23 water planning and management;

24 (e) Existing water laws and policies that support regional approaches to water planning
25 and management;

26 (f) The status, assets and needs of each water basin in this state; and

27 (g) Any lessons learned and recommendations resulting from existing efforts to imple-
28 ment regional water planning and management.

29 (5) The task force shall periodically report to the House Committee on Water on the
30 progress and recommendations of the task force.

31 (6) On or before September 15, 2022, the task force shall submit to the commission and
32 the House Committee on Water a report that includes recommendations regarding:

33 (a) The foundational technical information that is needed to support regional water
34 planning and management, both in-stream and out-of-stream;

35 (b) An agreed-upon structure and approach for state-supported regional water planning
36 and management designed to be responsive to and meet both in-stream and out-of-stream
37 needs, as well as a path forward for implementation;

38 (c) Any potential modifications to existing laws or rules that are needed to clarify the
39 agreed-upon structure, approach and support for state-supported regional water planning and
40 management; and

41 (d) Near-term funding requests and long-term funding strategies to support regional
42 water planning and management, including funding for regions and funding for positions at
43 state agencies to provide support and assistance related to regional water planning and
44 management.

45 (7) The Water Resources Department and the Oregon Watershed Enhancement Board

1 shall provide staff support to the task force.

2 (8) All agencies of state government, as defined in ORS 174.111, are directed to assist the
3 task force in the performance of the duties of the task force and, to the extent permitted
4 by laws relating to confidentiality, to furnish information and advice the task force considers
5 necessary to perform task force duties.

6 **SECTION 4.** (1) The Water Resources Department shall award grants to federally recog-
7 nized Indian tribes in this state and county governments that are interested in convening
8 community water forums with local partners in the private and nonprofit sectors.

9 (2) The funded tribes and county governments may decide to pool resources and organize
10 around shared hydrologic boundaries.

11 (3) The purpose of community water forums is to encourage stakeholders representing
12 diverse water interests to:

13 (a) Identify water needs by engaging all stakeholders;

14 (b) Listen to and learn from one another regarding in-stream and out-of-stream water
15 needs and challenges of different water interests, including water quantity, water quality,
16 watershed health, built infrastructure, water use, conservation opportunities and vulner-
17 abilities and data gaps;

18 (c) Build trust and relationships around shared water interests;

19 (d) Determine what work has been done at the local level to support implementation of
20 actions recommended in the 2017 state integrated water resources strategy and what support
21 is needed to continue to make progress;

22 (e) Provide input to the 2022 update of the state integrated water resources strategy and
23 the 100-year water investment vision;

24 (f) Identify technical information or assistance needed to support future planning and
25 action, which may inform the reports described in section 3 of this 2021 Act;

26 (g) Inform the proceedings of the Regional Water Planning and Management Task Force;
27 and

28 (h) Generally build awareness of and support for increased water-related investments.

29 (4) The community water forums must:

30 (a) Be conducted in an impartial way;

31 (b) Have a consistent process to allow for all communities to have the opportunity to
32 contribute to the conversation in a similar fashion and combine recommendations that have
33 statewide applicability and allow for the identification of similar themes across this state;
34 and

35 (c) Be advertised and open to all interested stakeholders.

36 (5) Persons who convene the community water forums must identify and invite to the
37 forums a balanced representation of interests, including both in-stream and out-of-stream
38 interests.

39 (6) The forums must result in a description of the status, assets and needs of areas
40 without any associated ranking or priority.

41 (7) In coordination with the Department of Environmental Quality, Oregon Watershed
42 Enhancement Board, State Department of Agriculture, State Department of Fish and
43 Wildlife and Water Resources Department, the Association of Oregon Counties shall provide
44 staff support related to community water forums to assist with consistent design format,
45 technical issues and organizing.

1 **SECTION 5.** In addition to and not in lieu of any other appropriation, there is appropri-
2 ated to the Water Resources Department, for the biennium beginning July 1, 2021, out of the
3 General Fund, the amounts of:

4 (1) \$450,000 for carrying out the provisions of section 1 of this 2021 Act.

5 (2) \$600,000 for purposes related to the Regional Water Planning and Management Task
6 Force described in section 3 of this 2021 Act.

7 (3) \$550,000 for awarding grants described in section 4 of this 2021 Act.

8 (4) \$150,000 for distribution to the Association of Oregon Counties for purposes related
9 to carrying out the provisions of section 4 of this 2021 Act.

10 **SECTION 6.** In addition to and not in lieu of any other appropriation, there is appropri-
11 ated to the office of the Governor, for the biennium beginning July 1, 2021, out of the General
12 Fund, the amount of \$500,000 for distribution to the Regional Solutions Program for carrying
13 out the provisions of section 2 of this 2021 Act.

14 **SECTION 7.** In addition to and not in lieu of any other appropriation, there is appropri-
15 ated to the Oregon Department of Administrative Services, for the biennium beginning July
16 1, 2021, out of the General Fund, the amount of \$200,000 for distribution to the Oregon Con-
17 sensus program of the Mark O. Hatfield School of Government of Portland State University,
18 for purposes related to the Regional Water Planning and Management Task Force described
19 in section 3 of this 2021 Act.

20 **SECTION 8.** Sections 1 to 4 of this 2021 Act are repealed on June 30, 2023.

21 **SECTION 9.** This 2021 Act being necessary for the immediate preservation of the public
22 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
23 on its passage.
24
