

# D R A F T

## SUMMARY

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; creating new provisions; and 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

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

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

12 (a) It is in the interest of the public welfare that a coordinated, integrated  
13 state water resources policy be formulated and means provided for its  
14 enforcement, that plans and programs for the development and enlargement  
15 of the water resources of this state be devised and promoted and that other  
16 activities designed to encourage, promote and secure the maximum beneficial  
17 use and control of such water resources and the development of additional  
18 water supplies be carried out by a single state agency that, in carrying out  
19 its functions, shall give proper and adequate consideration to the multiple  
20 aspects of the beneficial use and control of such water resources with an  
21 impartiality of interest except that designed to best protect and promote the  
22 public welfare generally.

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

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

29 [(b)] (4) The Water Resources Department shall work in close cooperation  
30 with the Department of Environmental Quality, **the State Department of**  
31 **Agriculture** and the State Department of Fish and Wildlife to develop the

integrated state water resources strategy, in consultation with other state, local and federal agencies, with other states, with Indian tribes, with stakeholders and with the public.

[(c)] (5) The Water Resources Department, in close cooperation with the Department of Environmental Quality, **the State Department of Agriculture** and the State Department of Fish and Wildlife, shall develop data on an ongoing basis to forecast Oregon's in-stream and out-of-stream water needs, including but not limited to in-stream, [*underground*] **ground** water, human consumption, **irrigated agriculture** and water supply needs, for the purpose of developing and updating the integrated state water resources strategy **and informing recommended actions at multiple scales**.

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

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

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

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

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

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

[(E)] (f) Provisions to ensure communication **with the public** and partnership with **tribes and** key stakeholders **to implement recommended actions**.

(g) **How the integrated state water resources strategy will be implemented at the state, regional, water basin and local scales, in partnership with public, private and civic partners in a balanced and integrated manner, including through:**

(A) **The development and implementation of place-based integrated water resources strategies.**

(B) The formation of task groups, work groups or advisory groups to advance specific recommended actions.

(C) Declarations of cooperation between diverse water stakeholders that describe the stakeholders' individual and collective commitment to advance specific recommended actions in a balanced and integrated manner.

(h) How to support implementation of priority actions recommended in other relevant state-developed or state-recognized plans or strategies, including but not limited to place-based integrated water resources strategies.

[(F)] (i) Specific functions and roles to be played by state agencies, including but not limited to the Department of Environmental Quality, the State Department of Fish and Wildlife, the State Department of Agriculture, the State Forestry Department, the Department of Human Services, the Oregon Business Development Department, the Department of Land Conservation and Development, the Oregon Watershed Enhancement Board, the State Parks and Recreation Department, the Oregon Health Authority, the Department of State Lands and other relevant state agencies.

[(G)] (j) Public policy options and recommendations.

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

[(I)] (L) Recommendations [of the Water Resources Department] regarding the continuous monitoring of climate change effects on Oregon's water supply and regarding water user actions that are necessary to address climate change.

[(e)(A)] (7) The Water Resources Commission shall give the Environmental Quality Commission, the State Department of Agriculture and the State Department of Fish and Wildlife notice of the integrated state water resources strategy prior to [adoption of] adopting or revising the strategy. The strategy, and any revisions to the strategy, shall take effect upon adoption by the Water Resources Commission.

1       **(8) To prioritize and implement actions recommended by the inte-**  
2 **grated state water resources strategy, the Water Resources Depart-**  
3 **ment shall coordinate with implementing partners, the Integrated**  
4 **State Water Resources Strategy Advisory Committee described in**  
5 **section 2 of this 2023 Act, the Environmental Quality Commission, the**  
6 **State Department of Agriculture and the State Department of Fish**  
7 **and Wildlife to develop a biennial work plan, which must be informed**  
8 **by biennial listening sessions in regions across the state.**

9       [(B)] **(9) The Water Resources Commission shall review and update the**  
10 **integrated state water resources strategy at least every [five] 10 years. [The**  
11 *Water Resources Commission shall give notice to the Environmental Quality*  
12 *Commission, the State Department of Agriculture and the State Department*  
13 *of Fish and Wildlife prior to adopting any revisions of the strategy. Revisions*  
14 *of the strategy shall take effect upon the Water Resources Commission's*  
15 *adoption of the revised strategy by reference in rule.]*

16       **(10) Biennially, the Water Resources Department shall report, in**  
17 **the manner described in ORS 192.245, to a committee or interim com-**  
18 **mittee of the Legislative Assembly related to water or natural re-**  
19 **sources on:**

20       **(a) Implementation of the integrated state water resources strategy.**

21       **(b) Whether the integrated state water resources strategy is ad-**  
22 **dresssing critical issues and achieving the objectives described in the**  
23 **integrated state water resources strategy.**

24       **(c) Any policy changes needed to facilitate implementation of the**  
25 **integrated state water resources strategy.**

26       **(d) Any needed investments related to implementation or updating**  
27 **of the integrated state water resources strategy.**

28       **(e) Any other information that will aid the Legislative Assembly in**  
29 **providing oversight of, and supporting implementation of and updates**  
30 **to, the integrated state water resources strategy.**

31       [(4)] **(11) This section does not limit the authority granted the Environ-**

1 mental Quality Commission or the Department of Environmental Quality  
2 under ORS chapter 468B.

3 **SECTION 2. (1) The Integrated State Water Resources Strategy**  
4 **Advisory Committee is established as an advisory committee to the**  
5 **Water Resources Commission and the Water Resources Department**  
6 **for the purposes of advising on, and supporting implementation of and**  
7 **updates to, the integrated state water resources strategy described in**  
8 **ORS 536.220 and assisting with the following as they relate to the in-**  
9 **tegrated state water resources strategy:**

10 (a) Ensuring that recommended actions are implemented in a bal-  
11 anced manner that benefits in-stream and out-of-stream interests.

12 (b) Providing a venue to proactively and collaboratively identify and  
13 resolve issues that emerge during implementation of the integrated  
14 state water resources strategy.

15 (c) Supporting implementation of priority recommended actions.

16 (d) Promoting greater public participation.

17 (e) Coordinating communication and outreach activities.

18 (f) Promoting integration and coordination between sectors, as well  
19 as complementary efforts at the state, regional, water basin and local  
20 scales.

21 (g) Identifying opportunities for innovation.

22 (h) Promoting interagency coordination.

23 (i) Tracking implementation of the integrated state water resources  
24 strategy and identifying issues that would benefit from additional at-  
25 tention in future updates to the integrated state water resources  
26 strategy.

27 (j) Identifying priorities for consideration in the biennial work plan  
28 described in ORS 536.220 (8).

29 (2) The commission shall determine the number of members of the  
30 committee and appoint members of the committee who represent a  
31 balance of in-stream and out-of-stream interests and a balance of

1 state-level and local-level organizations, including but not limited to  
2 tribes, conservation groups, groups representing irrigation interests,  
3 groups representing municipal interests, environmental justice organ-  
4 izations, local governments and state agencies.

5 (3) Members of the committee shall serve terms of two years and  
6 may serve up to two consecutive terms.

7 (4) The commission shall establish requirements concerning the  
8 operation of the committee.

9 (5) The Water Resources Department shall provide staff support to  
10 the committee.