

## HOUSE AMENDMENTS TO HOUSE BILL 3346

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

April 4

1 On page 1 of the printed bill, delete lines 4 through 28.

2 On page 2, delete lines 1 through 31 and insert:

3 **“SECTION 1. The Water Resources Department shall:**

4 **“(1) Work with the Department of Justice, the Office of Administrative Hearings and the**  
5 **State Department of Fish and Wildlife to reduce the backlog of protests of decisions con-**  
6 **cerning water rights and transfers.**

7 **“(2) Develop a strategy for reducing the backlog, including criteria for prioritizing pro-**  
8 **tests, measures to sustainably increase the pace of reducing the backlog and provisions to**  
9 **ensure coordination with the State Department of Fish and Wildlife and other affected**  
10 **agencies.**

11 **“(3) Contract for an independent assessment of the backlog of protests that:**

12 **“(a) Is based on both independent research and consultation with the Water Resources**  
13 **Department, the Department of Justice and the Office of Administrative Hearings, as well**  
14 **as consultation with protestants representing public and private interests.**

15 **“(b) Summarizes the status of the backlog.**

16 **“(c) Evaluates trends in the types of applications for water rights and transfers that are**  
17 **protested, referred and resolved.**

18 **“(d) Evaluates existing policies and practices for assessing protests for contested case**  
19 **referral and scheduling, including any standards for how the Water Resources Department**  
20 **communicates with applicants and protestants.**

21 **“(e) Analyzes existing causes of delay that contribute to the backlog, including but not**  
22 **limited to causes of delay related to the capacity of the Water Resources Department, the**  
23 **Department of Justice, the Office of Administrative Hearings and the State Department of**  
24 **Fish and Wildlife.**

25 **“(4) Provide recommendations for changing the system of making decisions concerning**  
26 **water rights and transfers to improve the delivery of fair and efficient dispositions of exist-**  
27 **ing protests and prevent future backlogs.**

28 **“(5) Report, in the manner prescribed in ORS 192.245, to the committees or interim**  
29 **committees of the Legislative Assembly related to water, on or before December 31, 2024,**  
30 **on the strategy described in subsection (2) of this section, the assessment described in sub-**  
31 **section (3) of this section and the recommendations described in subsection (4) of this sec-**  
32 **tion.**

33 **“SECTION 2. Section 1 of this 2023 Act is repealed on January 2, 2026.**

34 **“SECTION 3. In addition to and not in lieu of any other appropriation, there is appro-**  
35 **priated to the Water Resources Department, for the biennium beginning July 1, 2023, out of**

1 the General Fund, the amount of \$2,430,000, which may be expended for purposes described  
2 in section 1 of this 2023 Act.

3 **“SECTION 4. In addition to and not in lieu of any other appropriation, there is appro-**  
4 **priated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2023,**  
5 **out of the General Fund, the amount of \$381,862, which may be expended for purposes de-**  
6 **scribed in section 1 of this 2023 Act.”.**

7 In line 32, delete “7” and insert “5”.  
8 \_\_\_\_\_