

Senate Bill 58

Sponsored by Senator FINDLEY (Pre-session 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 **as introduced**.

Makes certain findings concerning cloud seeding. Provides Water Resources Department with specified authority concerning cloud seeding.

A BILL FOR AN ACT

1
2 Relating to cloud seeding.

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

4 **SECTION 1. (1) As used in this section, "cloud seeding":**

5 (a) **Means all acts undertaken to artificially distribute or create nuclei in cloud masses**
6 **for the purposes of inducing precipitation, cloud forms or other meteorological parameters.**

7 (b) **Does not mean the suppression of fog, or frost prevention measures, for the pro-**
8 **tection of orchards or crops.**

9 (2) **The Legislative Assembly finds that:**

10 (a) **The economy of Oregon and the welfare of Oregonians depends on a reliable and**
11 **sustainable water supply, so it is essential that the state continues to identify, develop and**
12 **implement projects that augment and sustain the state's water resources.**

13 (b) **A cloud seeding program developed and implemented by the Water Resources De-**
14 **partment, in cooperation with interested stakeholders, presents a unique and innovative op-**
15 **portunity to augment and sustain the state's water resources.**

16 (c) **Augmenting water supplies through cloud seeding is in the public interest.**

17 (d) **The public benefits of cloud seeding include the protection of water rights, municipal**
18 **and business activities that depend on water, water quality, energy production, recreation**
19 **and fish and wildlife, as well as drought mitigation.**

20 (e) **Data and analysis demonstrate that cloud seeding has results in annual increases in**
21 **water supplies in water basins.**

22 (f) **Additional research and analysis are needed to determine the precise nature and ex-**
23 **tent to which cloud seeding can increase water supplies.**

24 (g) **The development of a cloud seeding program may benefit water basins throughout the**
25 **state that experience depleted or insufficient water supplies.**

26 (3) **The department:**

27 (a) **Shall adopt rules authorizing cloud seeding programs.**

28 (b) **Shall adopt rules ensuring that water generated through cloud seeding programs is**
29 **distributed in accordance with Oregon water laws.**

30 (c) **May develop or assist with developing local or statewide cloud seeding programs.**

31 (d) **May contract with an individual or organization for consultation related to, or as-**

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 **sistance with developing, cloud seeding programs, or for research related to cloud seeding.**

2 **(e) May assess the potential for cloud seeding in the Deschutes Basin and work with**
3 **stakeholders to implement the cloud seeding.**

4 **(f) May provide funding for cloud seeding programs only if the cloud seeding programs**
5 **relate to water basins that the department has found lack sufficient water supplies to sup-**
6 **port existing water rights, water quality, recreation or fish and wildlife uses.**

7 **(4) If the department assesses or implements cloud seeding in the Deschutes Basin, the**
8 **department shall report, in the manner provided in ORS 192.245, to a committee or interim**
9 **committee of the Legislative Assembly related to water on the assessment or implementa-**
10 **tion.**

11 **(5) Notwithstanding any contrary provision of law, cloud seeding authorized or funded in**
12 **whole or in part by the department may not:**

13 **(a) Result in legal liability for trespass or public or private nuisance.**

14 **(b) Be subject to any state or local permitting requirements.**

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