

Requested by Representative HELM

**PROPOSED AMENDMENTS TO
HOUSE BILL 2813**

1 On page 1 of the printed bill, delete lines 4 through 29 and delete page
2 2 and insert:

3 **“SECTION 1. (1) As used in this section, ‘water supplier’ and ‘water
4 system’ have the meanings given those terms in ORS 448.115.**

5 **“(2) The Oregon Watershed Enhancement Board shall establish a
6 program to provide grants to water suppliers to protect, restore or
7 enhance sources of drinking water.**

8 **“(3) Grants awarded under this section shall be used by a grant re-
9 cipient for:**

10 **“(a) Acquiring lands from willing sellers where the protection, res-
11 toration or enhancement of those lands will benefit a source of
12 drinking water used by the water supplier;**

13 **“(b) Entering into covenants, easements or similar agreements to
14 protect, restore or enhance lands described in paragraph (a) of this
15 subsection; or**

16 **“(c) Repaying a loan used to finance a project to protect, restore
17 or enhance lands consistent with paragraph (a) or (b) of this sub-
18 section.**

19 **“(4)(a) Grants awarded under this section may not exceed \$3,000,000.**

20 **“(b) The board shall award grants under this section on a rolling
21 basis.**

1 “(5) For purposes of obtaining a grant under this section, a water
2 supplier may form a partnership with a holder, as defined in ORS
3 271.715, other than a state agency. The board may establish by rule
4 requirements for partnerships formed pursuant to this subsection.

5 “(6) Applications for a grant under this section shall be made in the
6 form and manner prescribed by the board. An application must dem-
7 onstrate that the project will protect, restore or enhance a source of
8 drinking water, and must be supported by evidence. The board shall
9 review completed grant applications, rank grant applications based on
10 criteria established by the board by rule under subsection (7) of this
11 section and approve or deny the applications. If the board denies a
12 grant application, the board shall notify the applicant in writing of the
13 reason or reasons that the grant application was denied.

14 “(7) The board shall adopt rules for the administration of the grant
15 program established under this section. Rules adopted under this sub-
16 section may include, but need not be limited to:

17 “(a) Eligibility criteria for water suppliers, including but not limited
18 to:

19 “(A) Eligible water system types; and

20 “(B) Requirements that eligible water suppliers serve rural com-
21 munities, communities experiencing lower incomes or communities
22 that are at or below a specified population level;

23 “(b) Requirements for grant applications and the grant application
24 process;

25 “(c) Criteria for ranking grant applications;

26 “(d) Requirements setting forth the amount of matching funds a
27 grant applicant must provide to be eligible to receive a grant;

28 “(e) A schedule for when grant applications are due and grants will
29 be awarded; or

30 “(f) Provisions setting forth how the board will verify that grant

1 funds have been used for the purposes for which the grant was
2 awarded, including but not limited to:

3 “(A) Provisions requiring status reports or other verification
4 measures that ensure that the terms and conditions of any agreement
5 between the board and the grant recipient are being performed;

6 “(B) Provisions describing methods of protecting, enhancing or re-
7 storing sources of drinking water; and

8 “(C) Provisions requiring the development of a long-term manage-
9 ment plan for acquired lands.

10 “(8)(a) A grant recipient is responsible for fulfilling the terms and
11 conditions of any agreement:

12 “(A) Between the grant recipient and the board; and

13 “(B) Between the grant recipient and a landowner, or other person,
14 necessary for the grant recipient to carry out the project for which a
15 grant has been awarded.

16 “(b) The board is not liable to any person for the failure of a grant
17 recipient to fulfill the terms or conditions of any agreement between
18 the person and the grant recipient.

19 “SECTION 2. No later than April 1 of each even numbered year, the
20 Oregon Watershed Enhancement Board shall submit a report, in the
21 manner provided by ORS 192.254, to the interim committees of the
22 Legislative Assembly related to water. The report shall describe the
23 performance of the grant program established under section 1 of this
24 2023 Act. The report must include, but need not be limited to:

25 “(1) Each grant awarded under the program since the last report;

26 “(2) The types and amounts of resources leveraged by grant moneys;

27 “(3) A description of projects currently in development;

28 “(4) An estimate of future project demand; and

29 “(5) Recommendations, if any, for changes to the design, scope or
30 administration of the program to better fulfill the purposes of section

1 **1 of this 2023 Act.**

2 **“SECTION 3. Notwithstanding section 2 of this 2023 Act, the Oregon**
3 **Watershed Enhancement Board shall first submit a report under sec-**
4 **tion 2 of this 2023 Act no later than April 1, 2025.**

5 **“SECTION 4. The Community Drinking Water Enhancement and**
6 **Protection Fund is established in the State Treasury, separate and**
7 **distinct from the General Fund. Interest earned by the Community**
8 **Drinking Water Enhancement and Protection Fund shall be credited**
9 **to the fund. Moneys in the fund are continuously appropriated to the**
10 **Oregon Watershed Enhancement Board for the purpose of carrying out**
11 **section 1 of this 2023 Act.**

12 **“SECTION 5. In addition to and not in lieu of any other appropri-**
13 **ation, there is appropriated to the Oregon Watershed Enhancement**
14 **Board, for the biennium beginning July 1, 2023, out of the General**
15 **Fund, the amount of \$5,000,000, for deposit in the Community Drinking**
16 **Water Enhancement and Protection Fund established under section 4**
17 **of this 2023 Act.**

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

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