

Requested by Representative HELM

**PROPOSED AMENDMENTS TO
HOUSE BILL 3100**

1 On page 1 of the printed bill, line 2, delete “creating new provisions;
2 and”.

3 Delete lines 5 through 30 and delete pages 2 through 4 and insert:

4 **“SECTION 1.** ORS 536.220 is amended to read:

5 “536.220. (1) The Legislative Assembly recognizes and declares that:

6 “(a) The maintenance of the present level of the economic and general
7 welfare of the people of this state and the future growth and development
8 of this state for the increased economic and general welfare of the people
9 thereof are in large part dependent upon a proper utilization and control of
10 the water resources of this state, and such use and control is therefore a
11 matter of greatest concern and highest priority.

12 “(b) A proper utilization and control of the water resources of this state
13 can be achieved only through a coordinated, integrated state water resources
14 policy, through plans and programs for the development of such water re-
15 sources and through other activities designed to encourage, promote and se-
16 cure the maximum beneficial use and control of such water resources, all
17 carried out by a single state agency.

18 “(c) The economic and general welfare of the people of this state have
19 been seriously impaired and are in danger of further impairment by the ex-
20 ercise of some single-purpose power or influence over the water resources
21 of this state or portions thereof by each of a large number of public au-

1 thorities, and by an equally large number of legislative declarations by
2 statute of single-purpose policies with regard to such water resources, re-
3 sulting in friction and duplication of activity among such public authorities,
4 in confusion as to what is primary and what is secondary beneficial use or
5 control of such water resources and in a consequent failure to utilize and
6 control such water resources for multiple purposes for the maximum benefi-
7 cial use and control possible and necessary.

8 “(2) The Legislative Assembly, therefore, finds that:

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

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

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

26 “[b] (4) The Water Resources Department shall work in close cooper-
27 ation with the Department of Environmental Quality, **the Oregon**
28 **Watershed Enhancement Board, the State Department of Agriculture**
29 and the State Department of Fish and Wildlife to develop the integrated
30 state water resources strategy, in consultation with other state, local and

1 federal agencies, with other states, with Indian tribes, with stakeholders and
2 with the public.

3 “[c] (5) The Water Resources Department, in close cooperation with the
4 Department of Environmental Quality, **the State Department of Agriculture**
5 **and the State Department of Fish and Wildlife**, shall develop data on
6 an ongoing basis to forecast Oregon’s in-stream and out-of-stream water
7 needs, including but not limited to in-stream, [*underground*] **ground** water,
8 human consumption, **irrigated agriculture** and water supply needs, for the
9 purpose of developing and updating the integrated state water resources
10 strategy.

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

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

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

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

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

20 “[D] (e) Plans [*related to*] **and actions concerning water-related na-**
21 **tural hazards and** the challenges presented by climate change.

22 “[E] (f) Provisions to ensure communication [*and partnership*] **and en-**
23 **gagement with the public.**

24 **“(g) Provisions to promote meaningful engagement with environ-**
25 **mental justice communities, as defined in ORS 182.535, consistent with**
26 **the requirements of ORS 182.545.**

27 **“(h) Provisions to promote partnerships with tribes, public bodies,**
28 **as defined in ORS 174.109, and key stakeholders to implement recom-**
29 **mended actions, as appropriate.**

30 **“(i) How the integrated state water resources strategy will be im-**

1 **plemented at multiple scales in a balanced, equitable and integrated**
2 **manner.**

3 **“(j) How to support implementation of priority actions recom-**
4 **mended in other relevant state-developed or state-recognized plans or**
5 **strategies.**

6 **“[(F)] (k) Specific functions and roles to be played by state agencies, in-**
7 **cluding but not limited to the Department of Environmental Quality, the**
8 **State Department of Fish and Wildlife, the State Department of Agricul-**
9 **ture, the State Forestry Department, the Department of Human Services, the**
10 **Oregon Business Development Department, the Department of Land Conser-**
11 **vation and Development, the Oregon Watershed Enhancement Board, the**
12 **State Parks and Recreation Department, the Oregon Health Authority, the**
13 **Department of State Lands and other relevant state agencies, along with**
14 **provisions to achieve interagency coordination.**

15 **“(L) Provisions to achieve coordination with federal agencies and**
16 **states that neighbor Oregon.**

17 **“[(G)] (m) Public policy options and recommendations.**

18 **“[(H)] (n) Relevant strategy factors, including but not limited to popu-**
19 **lation growth and land use change.**

20 **“[(I)] (o) Recommendations [of the Water Resources Department] regarding**
21 **the continuous monitoring of climate change effects on Oregon’s water sup-**
22 **ply and regarding water user actions that are necessary to address climate**
23 **change.**

24 **“(p) Processes by which a biennial work plan will be developed and**
25 **by which implementation of the work plan will be coordinated.**

26 **“(q) A process by which the Water Resources Department shall de-**
27 **velop the report described in subsection (9) of this section.**

28 **“[(e)(A)] (7) Before adopting or revising the integrated state water**
29 **resources strategy, the Water Resources Commission shall give notice to**
30 **the Environmental Quality Commission, the Oregon Watershed Enhance-**

1 **ment Board**, the State [*Department*] **Board** of Agriculture, [*and*] the State
2 [*Department of*] Fish and Wildlife **Commission and any other agency**
3 **referenced in the strategy** [*notice of the integrated state water resources*
4 *strategy prior to adoption of the strategy*]. The strategy, **and any revisions**
5 **to the strategy**, shall take effect upon adoption by the Water Resources
6 Commission.

7 “[*B*] **(8)** The Water Resources Commission shall review and update the
8 integrated state water resources strategy **at least** every [*five*] **eight** years.
9 [*The Water Resources Commission shall give notice to the Environmental*
10 *Quality Commission, the State Department of Agriculture and the State De-*
11 *partment of Fish and Wildlife prior to adopting any revisions of the strategy.*
12 *Revisions of the strategy shall take effect upon the Water Resources*
13 *Commission’s adoption of the revised strategy by reference in rule.*]

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

18 **“(a) Progress implementing recommended actions in the integrated**
19 **state water resources strategy.**

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

23 **“(c) Activities that the department anticipates will be undertaken**
24 **during the next legislative session to advance the integrated state**
25 **water resources strategy.**

26 **“(d) Any policy changes needed to facilitate implementation of the**
27 **integrated state water resources strategy.**

28 **“(e) Any needed investments related to implementation or updating**
29 **of the integrated state water resources strategy.**

30 **“(f) Any other information that will aid the Legislative Assembly**

1 in providing oversight of, and supporting implementation of and up-
2 dates to, the integrated state water resources strategy.

3 “(10) All agencies of state government, as defined in ORS 174.111,
4 shall:

5 “(a) Assist the Water Resources Department, as requested, in per-
6 forming the duties described in this section; and

7 “(b) Furnish information as necessary to develop, update and im-
8 plement the integrated state water resources strategy and to develop
9 the biennial report described in subsection (9) of this section.

10 “[4] (11) This section does not limit the authority granted the Environ-
11 mental Quality Commission or the Department of Environmental Quality
12 under ORS chapter 468B.”

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