

Requested by Representative OWENS

**PROPOSED AMENDMENTS TO
HOUSE BILL 3346**

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 Adminis-**
5 **trative Hearings and the State Department of Fish and Wildlife to re-**
6 **duce the backlog of protests of decisions concerning water rights and**
7 **transfers.**

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

12 **“(3) Contract for an independent assessment of the backlog of pro-**
13 **tests that:**

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

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

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

21 **“(d) Evaluates existing policies and practices for assessing protests**

1 for contested case referral and scheduling, including any standards for
2 how the Water Resources Department communicates with applicants
3 and protestants.

4 “(e) Analyzes existing causes of delay that contribute to the back-
5 log, including but not limited to causes of delay related to the capacity
6 of the Water Resources Department, the Department of Justice, the
7 Office of Administrative Hearings and the State Department of Fish
8 and Wildlife.

9 “(4) Provide recommendations for changing the system of making
10 decisions concerning water rights and transfers to improve the deliv-
11 ery of fair and efficient dispositions of existing protests and prevent
12 future backlogs.

13 “(5) Report, in the manner prescribed in ORS 192.245, to the com-
14 mittees or interim committees of the Legislative Assembly related to
15 water, on or before December 31, 2024, on the strategy described in
16 subsection (2) of this section, the assessment described in subsection
17 (3) of this section and the recommendations described in subsection
18 (4) of this section.

19 “SECTION 2. Section 1 of this 2023 Act is repealed on January 2,
20 2026.

21 “SECTION 3. In addition to and not in lieu of any other appropri-
22 ation, there is appropriated to the Water Resources Department, for
23 the biennium beginning July 1, 2023, out of the General Fund, the
24 amount of \$2,430,000, which may be expended for purposes described
25 in section 1 of this 2023 Act.

26 “SECTION 4. In addition to and not in lieu of any other appropri-
27 ation, there is appropriated to the State Department of Fish and
28 Wildlife, for the biennium beginning July 1, 2023, out of the General
29 Fund, the amount of \$381,862, which may be expended for purposes
30 described in section 1 of this 2023 Act.”.

1 In line 32, delete “7” and insert “5”.

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