

Requested by Representative OWENS

**PROPOSED AMENDMENTS TO
HOUSE BILL 3163**

1 On page 1 of the printed bill, line 7, after “and” insert “federal.”

2 Delete lines 10 through 30 and delete page 2.

3 On page 3, delete lines 1 through 27 and insert:

4 **“SECTION 2. (1) As used in this section:**

5 **“(a) ‘Eligible implementation coordination costs’:**

6 **“(A) Means costs associated with actions taken to coordinate the**
7 **implementation of a state-recognized place-based integrated water re-**
8 **sources plan.**

9 **“(B) Does not include the costs of implementing a project.**

10 **“(b) ‘Environmental justice community’ has the meaning given that**
11 **term in ORS 182.535.**

12 **“(c) ‘Indian tribe’ means a federally recognized Indian tribe in**
13 **Oregon that has members residing on a reservation or tribal trust**
14 **lands in Oregon.**

15 **“(d) ‘Person’ has the meaning given that term in ORS 536.007.**

16 **“(e) ‘Place-based integrated water resources plan’ means a plan**
17 **that:**

18 **“(A) Is developed for a planning area associated with waters from**
19 **sources within a shared hydrologic boundary;**

20 **“(B) Is developed in collaboration with a balanced representation**
21 **of interests;**

1 **“(C) Addresses current and future in-stream and out-of-stream**
2 **needs;**

3 **“(D) Includes the development of actions that are consistent with**
4 **the state water resources policy and other state laws concerning the**
5 **water resources of this state;**

6 **“(E) Is developed using an open, equitable and transparent process**
7 **that fosters public participation and meaningful engagement with en-**
8 **vironmental justice communities, consistent with the requirements of**
9 **ORS 182.545;**

10 **“(F) Is developed in consultation with the Water Resources De-**
11 **partment and other relevant state agencies;**

12 **“(G) Facilitates implementation of local water resources solutions**
13 **and supports the knowledge and relationships needed to implement the**
14 **solutions;**

15 **“(H) Assesses actions that are compatible with local comprehensive**
16 **plans;**

17 **“(I) Strives to integrate solutions to cost-effectively achieve multi-**
18 **ple benefits;**

19 **“(J) Is consistent with the guiding principles of the integrated state**
20 **water resources strategy; and**

21 **“(K) Complies with the rules of the Water Resources Commission,**
22 **including any rules regarding the development of place-based inte-**
23 **grated water resources plans.**

24 **“(f) ‘Place-based integrated water resources planning’ means a**
25 **collaborative and inclusive process that is designed to:**

26 **“(A) Gather information to develop a shared understanding of water**
27 **resources and identify critical issues and knowledge gaps;**

28 **“(B) Examine the existing and future in-stream and out-of-stream**
29 **water needs for people, the economy and the environment;**

30 **“(C) Identify and prioritize strategic, integrated solutions to un-**

1 **derstand and meet in-stream and out-of-stream water needs; and**
2 **“(D) Develop, implement and update a place-based integrated water**
3 **resources plan.**

4 **“(g) ‘Public body’ has the meaning given that term in ORS 174.109.**

5 **“(h) ‘Situation assessment’ means an assessment conducted for the**
6 **purpose of understanding the status of an issue, stakeholder perspec-**
7 **tives and the needs and conditions that potentially affect the feasibil-**
8 **ity and design of a collaborative process to develop and implement a**
9 **place-based integrated water resources plan.**

10 **“(i) ‘State-recognized place-based integrated water resources plan’**
11 **means a place-based integrated water resources plan that has been**
12 **reviewed by the Water Resources Commission and recognized by a**
13 **commission resolution stating that the completed place-based inte-**
14 **grated water resources plan adheres to applicable requirements.**

15 **“(2) The Water Resources Director may award grants with moneys**
16 **from the Place-Based Water Planning Fund established in section 1**
17 **of this 2023 Act to fund the costs of actions supporting place-based**
18 **integrated water resources planning, including costs of:**

19 **“(a) Filling gaps in state, tribal and local capacity, knowledge and**
20 **skill sets.**

21 **“(b) Developing data and associated analyses tailored to the area**
22 **of a place-based integrated water resources plan.**

23 **“(c) Assessing critical issues within the planning area.**

24 **“(d) Building knowledge and relationships among state agencies,**
25 **organizations with ties to or an interest in the planning area and**
26 **people who live in, work in or are interested in the planning area.**

27 **“(e) Assisting groups with preparing and assessing readiness to en-**
28 **gage in relevant planning.**

29 **“(f) Assisting with building the capacity of a community to engage**
30 **in relevant planning.**

1 “(g) Facilitating and managing a collaborative process to support
2 relevant planning.

3 “(h) Developing, or supporting development of, a place-based inte-
4 grated water resources plan.

5 “(i) Facilitating associated public participation, including partic-
6 ipation by members of environmental justice communities, through
7 education, outreach, financial support and other activities.

8 “(j) Updating a state-recognized place-based integrated water re-
9 sources plan.

10 “(k) Eligible implementation coordination costs.

11 “(3) In awarding grants, the department may require cost matching
12 by applicants.

13 “(4) The grants may be awarded to persons, public bodies, Indian
14 tribes and nonprofit organizations.

15 “(5) The grants may be awarded as cost sharing with other pro-
16 grams that support place-based integrated water resources planning.

17 “(6) In addition to disbursing moneys in the fund as described in
18 subsection (2) of this section, the Water Resources Director may use
19 moneys in the fund to further place-based integrated water resources
20 planning by entering into agreements or contracting for the following:

21 “(a) Efforts related to interagency coordination.

22 “(b) Situation assessments.

23 “(c) The collection or development of data, data inventories or
24 other technical information necessary for planning.

25 “(d) Technical assistance.

26 “(e) The development of guidelines and best practices.

27 “(f) Providing opportunities for public participation.

28 “(g) The development or provision of training and learning oppor-
29 tunities.

30 “(h) Holding events and gatherings.

1 “(i) Evaluations to identify lessons learned and areas for improve-
2 ment.

3 “(j) Consultation with Indian tribes.

4 “(k) Other actions in support of place-based integrated water re-
5 sources planning that benefit a specific area in this state or the state
6 as a whole.

7 “(7) Before issuing funding under subsection (2) or (6) of this sec-
8 tion, the Water Resources Director shall consult with the Department
9 of Environmental Quality, Department of Land Conservation and De-
10 velopment, Oregon Health Authority, Oregon Watershed Enhancement
11 Board, State Department of Agriculture and State Department of Fish
12 and Wildlife to understand agency capacity to:

13 “(a) Participate in place-based integrated water resources planning.

14 “(b) Provide information and assistance described in subsection (9)
15 of this section.

16 “(8) Before issuing funding under subsection (2) of this section, the
17 Water Resources Director shall notify county and tribal governments
18 within the proposed planning boundary of an application.

19 “(9) The Water Resources Department, Department of Environ-
20 mental Quality, Department of Land Conservation and Development,
21 Oregon Health Authority, Oregon Watershed Enhancement Board,
22 State Department of Agriculture and State Department of Fish and
23 Wildlife may provide technical information and assistance to, and en-
24 ter into contracts or agreements with, a person, public body, Indian
25 tribe or nonprofit organization to facilitate implementation of this
26 section.

27 “(10) The Water Resources Commission shall consider state-
28 recognized place-based integrated water resources plans when updating
29 the integrated state water resources strategy.

30 “(11) The commission may adopt rules to implement this section,

1 including rules that:

2 “(a) Further clarify the expenditures that may be funded by the
3 grants.

4 “(b) Prioritize the issuance of funding for purposes described in this
5 section and establish a system for scoring and ranking projects that
6 includes consideration of groups’ readiness for planning and projects’
7 alignment with strategic priorities determined by state water laws and
8 relevant state agencies.

9 “(c) Establish requirements for promoting public participation and
10 engaging environmental justice communities.

11 “(d) Establish criteria and a process for state recognition of a
12 place-based integrated water resources plan.

13 “(e) Describe how the implementation of actions outlined in a
14 state-recognized place-based integrated water resources plan may be
15 considered and supported.

16 “(f) Establish reporting and other requirements necessary to main-
17 tain the status of a state-recognized place-based integrated water re-
18 sources plan, including requirements concerning:

19 “(A) Progress on implementing a place-based integrated water re-
20 sources plan.

21 “(B) How strategies and actions outlined in a place-based integrated
22 water resources plan must continue to represent a balance of in-
23 stream and out-of-stream water interests.

24 “(C) How the planning process continues to demonstrate a com-
25 mitment to collaboration and adherence to principles of place-based
26 integrated water resources planning and the integrated state water
27 resources strategy described in ORS 536.220.

28 “(12) In developing rules described in subsection (11) of this section,
29 the commission shall consult with the agencies described in subsection
30 (7) of this section and other affected agencies.”.

