



Oregon

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Testimony for House Bill 3100
House Committee on Agriculture, Land Use, Natural Resources and Water
Representative Ken Helm, Chair

Submitted by: Bryn Hudson, Legislative Coordinator
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Thank you for the opportunity to provide information related to House Bill 3100 which establishes requirements for updating and implementing the Integrated Water Resources Strategy. This testimony is provided for informational purposes and the Department is not taking a position at this time.

Background

Oregon's Integrated Water Resources Strategy (IWRS) provides a statewide inter-agency framework for better understanding and meeting Oregon's instream and out-of-stream water needs. Oregon's Water Resources Commission adopted the first IWRS in 2012 and the second in 2017. The 2017 IWRS provides recommendations in 13 different issue areas. Each issue area includes multiple recommendations, resulting in more than 50 recommended actions.

Although the Oregon Water Resources Department (Department) is the lead agency for developing and updating the IWRS, the Department works in close cooperation with other agencies, stakeholders, and the public to implement and update the IWRS. Oregon agencies have a variety of connections with water and with the IWRS. Some agencies work exclusively with natural resource issues that include water, while others have a peripheral role in water management.

Updated and adopted by the Water Resources Commission every five years, the Department cooperates with Department of Environmental Quality (DEQ), and the State Department of Fish and Wildlife (ODFW), and the Department of Agriculture to develop each iteration of the IWRS.

The 2022 IWRS update was delayed due to limited staff capacity, the significant number of new projects arising from the 2021 session, and to allow some of the 2021 session project work products to be considered in the update. Engagement for the next update is expected to begin in Spring 2023. For more information on planned events and timelines, please review materials on the [Department's website](#).

2023 IWRS Implementation Report

The Department, in conjunction with DEQ, ODFW, and ODA, completed an [interagency Progress Report](#) that provided information from state agencies regarding major project accomplishments from 2017-2022, awarded funding, and policy changes that align with recommended actions in the 2017 IWRS. The interagency team provided an informational presentation to the interim House Committee on Agriculture, Land Use and Water on December 7, 2022. The agencies also provided several recommendations for better IWRS implementation:

- **Consistent funding:** Although many agencies have significant responsibilities regarding the IWRS and water management and infrastructure, available funding and dedicated staffing has not always supported these responsibilities. Additionally, there is a lack of resources to support IWRS collaboration and coordination on updates, workplans, tracking of progress, and implementation across agencies.
- **Adequate staffing for workplans:** The 2017 IWRS states that it “spells out what generally needs to happen, but not the finer details of implementation.” For that level of detail, agencies need resources to develop workplans (individual agency, as well as interagency), track progress, report out, and revise workplans. Developing a coordinated implementation plan requires significant work that there has not been capacity for.
- **IWRS update timing and frequency:** IWRS updates, required every 5 years, does not provide enough time for many projects or work related to water to fully come to fruition and, with limited agency resources, results in focusing more on plan updates than on implementation.

Department’s Understanding of HB 3100

As written, HB 3100 makes changes to the content included in the IWRS. It also extends the requirements to review and update the IWRS from every five years to at least every ten years, consistent with findings from the agencies that 5-year updates do not allow sufficient time to focus on implementation. It also removes a requirement to adopt the updates in rule, which has not been done to date because rulemaking is inconsistent with the format of the IWRS.

HB 3100 modifies the processes for updating and implementing the Strategy and establishes the Integrated Water Resources Strategy Advisory Committee to advise and support efforts to implement and update the IWRS. The bill directs the IWRS Advisory Committee to assist the Department in prioritization of recommended actions for implementation. It is not clear how these duties will intersect with existing Department authorities and work, as well Water Resources Commission priorities, as well as if the committee is anticipated to prioritize work of other agencies who are carrying out work related to the IWRS. The bill provides that Advisory Committee membership turns over every two-years, which is a relatively short time for members to learn and be able to advise on the issues and priorities before their term is over. This will require significant staff time on recruitment to find new members to ensure a consistent balance of interests and will also require significant time spent educating new members.

The bill directs the Water Resources Commission, in coordination with the proposed Advisory Committee, the Environmental Quality Commission, the State Department of Agriculture and the State Department of Fish and Wildlife to develop a biennial work plan for prioritizing and implementing IWRS recommended actions that has been informed by statewide listening sessions. It is unclear if it was intentional to include two Commissions and two agencies, instead of the two agencies’ governing boards (Board of Agriculture and Fish and Wildlife Commission).

Also on a biennial basis, the bill directs the Department to report to the legislature on progress related to the implementation of the IWRS, and recommendations for policy changes or investments needed to facilitate further IWRS implementation or updates. The bill does not direct that other agencies aid in development of the report, including the other three agencies identified as key partners. Given the integrated nature of the IWRS to meet our current and

future water needs, it is critical that the work be focused on more than just the work of one agency.

The bill will result in a need for additional staff to carry out this work related to outreach and engagement, biennial work plan and report writing, and Advisory Committee support.