

Senate Bill 775

Sponsored by Senator NASH, Representative LEVY B (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that data about ground water that some state agencies use has to be peer reviewed. (Flesch Readability Score: 75.7).

Requires that ground water data generated or used for specified purposes by the Department of Environmental Quality, State Department of Agriculture, Water Resources Commission or Water Resources Department be peer reviewed.

A BILL FOR AN ACT

1
2 Relating to ground water data accountability.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) Ground water data generated or used by the Department of Environ-**
5 **mental Quality or the Water Resources Commission for a purpose described in subsection**
6 **(2) of this section must be:**

7 (a) **Originally generated by one or more institutes identified by the National Institutes**
8 **for Water Resources, or its successor organization, that are located in states that rely on**
9 **prior appropriation; or**

10 (b) **Peer reviewed consistent with the review criteria for an academic peer review process**
11 **by at least three institutes identified by the National Institutes for Water Resources, or its**
12 **successor organization, that are located in states that rely on prior appropriation.**

13 (2) **Ground water data generated or used as described in this subsection must meet the**
14 **requirements of subsection (1) of this section:**

15 (a) **Ground water data generated or used by the Department of Environmental Quality**
16 **to declare a ground water management area under ORS 468B.180, or to change a ground**
17 **water management area that was originally declared before January 1, 2024; or**

18 (b) **Ground water data generated or used by the Water Resources Commission to design-**
19 **ate a critical ground water area pursuant to ORS 537.730, or change a critical ground water**
20 **area originally designated prior to January 1, 2024.**

21 (3) **A funding request from the Department of Environmental Quality, the Water Re-**
22 **sources Department or the State Department of Agriculture for the purposes of generating**
23 **or obtaining ground water data for any purpose must include proof that the data to be gen-**
24 **erated or obtained meets the requirements of subsection (1) of this section.**

25 (4) **Ground water data generated or used by the Department of Environmental Quality,**
26 **the Water Resources Department or the State Department of Agriculture must meet the**
27 **requirements of subsection (1) of this section if the ground water data is generated or used**
28 **for:**

29 (a) **Enforcement actions;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) Actions regarding a permit related to water issued by the Department of Environ-**
2 **mental Quality, the Water Resources Department or the State Department of Agriculture,**
3 **including actions related to currently issued permits;**

4 **(c) Rulemaking; or**

5 **(d) Other official action.**

6 **(5) Any action taken by the Department of Environmental Quality, the Water Resources**
7 **Department, the State Department of Agriculture or the Water Resources Commission that**
8 **does not meet the requirements of this section is invalid.**

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