



State of Oregon
Water Resources Department
 725 NE Summer, Suite A
 Salem, OR 97301-1271
 (503) 986-0900

*Invitation
 to provide* **COMMENT**

**NOTICE OF EXTENDED OPEN PUBLIC COMMENT
 PERIOD AND SECOND RULEMAKING HEARING**

Preference for Human Consumption and Stock Water Use in Klamath County During Governor-Declared Drought
 OAR Chapter 690, Division 22

The Oregon Water Resources Department has initiated a public rulemaking process to prioritize stock and human consumption uses of water whenever there is a Governor-declared drought in Klamath County (OAR Chapter 690, Division 22). ORS 536.750 authorizes the Oregon Water Resources Commission, pursuant to a gubernatorial declaration of drought, to grant preference of water use for human consumption and stock watering over other uses of water regardless of priority date. Without the preference, the use of water for human consumption and stock watering would be subject to regulation, and as a result, water that would otherwise be used to meet these needs would not be available. For some water users, there are no readily available alternative sources of water for either stock watering or human consumption.

The Department is requesting public comment on these rules, including whether other options should be considered for achieving the rules’ substantive goals while reducing any potential negative economic impact of the proposed rule on small business. Information on the fiscal impact and cost of compliance of this rule can be found in the statement of need and fiscal impact posted on our website.

To obtain copies of the proposed rules, notice of rulemaking, statement of need and fiscal impact, or information on the public hearings, contact Cindy Smith at 503.986.0876, or visit our website at:
http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/default.aspx?notice_id=37.

The Department is extending the public comment period as well as conducting a second rulemaking hearing.

The comment period will close at 5:00 PM on September 19, 2014.

HOW TO COMMENT

Submit written comments to: Water Resources Department, Attn: Rule Coordinator
 725 Summer Street NE, Suite A, Salem, OR 97301

By fax at: 503.986.0903, Attn: Rule Coordinator

Or by e-mail to: rule-coordinator@wrdd.state.or.us

Letters need not be typed, but should be legible, as should any other materials sent. In addition, the public may submit oral and/or written comment regarding these proposed rules at the following public hearing:

		Oregon Institute of Technology Mt. Mazama Room	
September 18, 2014	6-7 pm	3201 Campus Drive, Klamath Falls, OR	John Roberts
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

The Department filed notice of this rulemaking in the *Oregon Bulletin* published by the Secretary of State on July 1, 2014 and held a public hearing on July 24, 2014. A notice of the second rulemaking hearing and extended public comment period will appear in the *Oregon Bulletin* on September 1, 2014.

THE REVIEW PROCESS:

Please present your comments regarding these proposed rules by sending your written comments by mail, email, or fax to the Water Resources Department at the address listed above or by speaking at the public hearing. Written comments must be received no later than 5:00 PM, September 19, 2014. It is your responsibility to verify that faxed or emailed comments are received.

The Water Resources Commission is likely to consider this rule adoption during a meeting that will be scheduled during the week of September 22, 2014. The Water Resources Commission may choose to receive additional oral public comment and written testimony on the proposed rules as part of an agenda item at any future Commission meeting. Written testimony presented to the Commission after the public comment period has closed will be limited to specific language suggestions related to changes made by the Department from the public hearing draft rules to the final proposed rules.

Note: The services, programs and activities of the Water Resources Department are covered by the Americans with Disabilities Act (ADA). The ADA prohibits discrimination against persons with disabilities. The Department intends to comply with the ADA. If you are interested and need special accommodations to participate in the public hearings, please contact the Department at (503) 986-0878, at least 48 hours prior to the hearing.