

OREGON



WATER RESOURCES
DEPARTMENT

Item I - Commission Delegation of Authority to the Director

Doug Woodcock, Acting Director, OWRD

September 29, 2023

Authority

ORS 536.025(2) allows for the Commission to delegate authority to the Water Resources Director “...*the exercise or discharge in the commission’s name of any power, duty or function of whatever character, vested in or imposed by the law upon the commission.*”

The Commission may consider the following alternatives:

1. Delegate the authority to the Director as specified in Attachment 1 to make decisions for the Commission when the Commission is named as a defendant in litigation.
2. Adopt a modified delegation to the Director.
3. Decline to delegate the authority as requested.

Acting Director's Recommendation

The Acting Director recommends Alternative 1:

- 1. Delegate the authority to the Director as specified in Attachment 1 to make decisions for the Commission when the Commission is named as a defendant in litigation.**
2. Adopt a modified delegation to the Director.
3. Decline to delegate the authority as requested.

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Summary of Request

- The Department is seeking a delegation of authority from the Commission allowing the Director to make decisions on behalf of the Commission on matters of litigation where the Commission is a named defendant.
- These decisions are generally a matter of routine process where it is unnecessary to involve the Commission.
- The Director will:
 - Continue to confer with the Chair, providing updates on litigation process and decisions.
 - Seek the Chair's input on matters of significant importance to the Commission.