



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

*Invitation
 to provide* **COMMENT**

NOTICE OF OPEN COMMENT PERIOD AND RULEMAKING HEARING

OAR Chapter 690

SUBJECT The Oregon Water Resources Department (Department) is proposing new administrative rules to implement provisions contained in HB 2133, related to electronic communication (in lieu of hard copy).

The Department filed notice of this rulemaking in the *Oregon Bulletin* published by the Secretary of State on October 1, 2011. Under ORS 183.335(2)(b)(G), the Department is also requesting public comment on whether other options should be considered for achieving the rule’s substantive goals while reducing negative economic impact of the rule on business.

The written comment period closes at 5:00 PM, Monday, October 31, 2011.

HOW TO COMMENT: Send comments or other materials expressing your opinion

by mail to: Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301-1271
 ATTN: Ruben E. Ochoa

by fax to: (503) 986-0903, Attn: Ruben E. Ochoa; or

by e-mail to: Ruben.E.Ochoa@state.or.us; or rule-coordinator@wrd.state.or.us

Letters need not be typed, but should be legible, as should any other materials you send. In addition, you can speak or submit written comments at the following public hearing:

| | | | |
|--------------|--------|---|------------------|
| 10/24/2011 | 1-2 pm | 725 Summer St. NE, Salem OR [N. Mall Office Bldg; Conf. Rm. 124(b)] | Tom Paul |
| Hearing Date | Time | Location | Hearings Officer |

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

To find out more about this rulemaking or to obtain a copy of the rules visit http://www.wrd.state.or.us/cgi-bin/notices.pl?oar_notices or contact Ruben E. Ochoa at the Department at (503) 986-0874.

BACKGROUND:

HB 2133, enacted into law by the Oregon Legislature in 2011, in part, authorizes OWRD to adopt rules that allow the submission of one or more types of documents to the department by electronic means in lieu of submission by mailing or submission in written form, and with the consent of the recipient, to send one or more types of documents in electronic form in lieu of mailing or other sending of the document in written form. OWRD views implementation of this legislative authorization as a means to reduce costs and

streamline certain department processes for the benefit of applicants and the department and as a means to reduce the overall use of paper products. Documents relied upon include:

HB 2133 – available for review via the internet at: http://www.leg.state.or.us/bills_laws/

OAR Chapter 690, Divisions 053, 077, 310, 315, 330, 380, 382, and 385 – available for review via the internet at: <http://www.wrd.state.or.us/OWRD/LAW/oar.shtml>

POSSIBLE FISCAL IMPACTS OF THE PROPOSED RULES:

The Department anticipates that the proposed rules, if adopted, will have a positive fiscal and economic impact on the department and on certain persons and/or businesses conducting business with the department by providing a less costly electronic option in lieu of mailing or other transmissions of documents in written form.

THE REVIEW PROCESS:

Please present your comments by speaking at the public hearing listed above, or by sending your written comments by mail, email, or fax to the Water Resources Department at the address listed above. Written comments must be received no later than 5:00 PM, Monday, October 31, 2011. It will be your responsibility to verify that faxed or emailed comments are received.

The Water Resources Commission is likely to consider these proposed rules at its meeting in January 2012. 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.

For copies of the proposed rules or further information on the public hearings, contact Ruben E. Ochoa at (503) 986-0874. You may also obtain a copy of the existing rules on the Department's web page at <http://www.wrd.state.or.us/>.

Note: The services, programs and activities of the 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.