



Oregon

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MEMORANDUM

TO: Water Resources Commission

FROM: Racquel Rancier, Deputy Director, Strategy and Administration
Lisa Snyder, Administrative Services Division Administrator
Bryn Hudson, Legislative Coordinator

SUBJECT: Agenda Item G, March 18, 2022
Water Resources Commission

Legislative and Budget Update

I. Introduction

This report provides an overview of the 2022 Legislative Session and the efforts underway to prepare for the 2023 Legislative Session, including budget packages and legislative concept proposals. Commissioners will be asked to provide input on 2023 proposals during this agenda item.

II. 2022 Legislative Session

Oregon's Legislative Assembly convened in Salem on February 2 for the 2022 Legislative Session, with a Constitutional *Sine Die* date of March 7, 2022.

Legislation:

Staff will provide the Commission with an overview of 2022 water-related legislation during this presentation. A list of bills is included in Attachment 1.

HB 4061 A Cannabis and Water: This bill addresses water enforcement as it relates to cannabis.

HB 4061 increased criminal penalties for using water without a water right and added penalties for hauling water or arranging to haul water to an unregistered cannabis operation. Additional criminal and civil penalties were added for providing false information to the Department or law enforcement regarding water hauling. Additional provisions extended the time for the Department to issue a Notice of Violation from five days to 10 business days. The bill also requires water suppliers to retain and provide information on certain bulk water sales, with some exceptions, and requires person's hauling water for irrigation or nursery purposes to retain records of purchases and deliveries. Civil penalties may be issued to persons hauling water who fail to retain water hauling records.

HB 4068 B Emergency Preparedness: This bill contains various provisions pertaining to the state's capacity to respond to emergencies. Most relevant to the Department, this legislation will require all administrative heads of state agencies to complete introductory courses offered or approved by FEMA in incident command and the National Incident Management System. It will also require the Department to conduct internal annual emergency preparedness exercises and to participate in a statewide emergency preparedness exercise once every ten years.

HB 4077 B Environmental Justice: This bill requires the Environmental Justice Council to create an environmental justice mapping tool and to consult with natural resource agencies on tool development and best practices for using the tool and integrating results into rules, policies, and programs. Agency Directors are also required to report to the EJC annually on the agency environmental justice efforts and how the mapping tool has been used.

SB 1564 A Cannabis: This bill allows a county that declares a state of emergency related to cannabis to request the State Department of Agriculture (ODA) to deny issuance of hemp grower licenses for the years 2022 and 2023. The measure also modifies the existing Task Force on Cannabis-Derived Intoxicants to include "Illegal Cannabis Production" and adds the Department as a member.

III. 2023 Legislative Session and Budget Development

Proposals for legislative concepts are due to the Department of Administrative Services (DAS) on April 15 for the 2023 Legislative Session. Placeholders may be submitted to DAS through June 3. DAS's official kickoff of development of the 2023-2025 Biennium Budget will not begin until late March; therefore, official timelines for budget development have not yet been set.

The Department has begun brainstorming ideas for potential legislative concepts and budget proposals and will seek input from the Commission. The Department met with stakeholders on January 27, 2022, to begin discussions about proposals for the 2023 Legislative Session. Additional meetings will be held between March through June.

Attachment 2 provides an overview of 2023 budget issues. These issues will change over time with feedback and discussions with stakeholders, tribes and others in order to formulate budget proposals; they are not final and are provided for discussion purposes. The Department is also considering several legislative concepts for the 2023 Legislative Session as shown in Attachment 3. These proposals will change over time and are intended only for discussion purposes. Staff held a kickoff meeting in January and presented both budget and legislative concept proposals to interested parties and asked for input. The Department is broadening its outreach efforts this year to better consider and advance racial equity and environmental justice. Although the Department anticipates broader outreach for budget and legislative concepts, the Department, as directed by the Racial Justice Council and Governor's Office, will be particularly focusing this work on its planning legislation and budget development. Commissioners will have the opportunity to provide staff with input on potential budget issues and proposals, as well as legislative concepts.

IV. Conclusion

The Department has begun work on budget development and legislative concepts for the 2023 Legislative Session. Over the next few months, the Department will seek and incorporate input and feedback; modify, eliminate, and prioritize proposals; and further refine its legislative and budget priorities for 2023.

Attachments:

1. 2022 Water Related Legislation
2. 2023 Budget Issues for Discussion Purposes
3. 2023 Potential Legislative Concepts for Discussion Purposes

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Bill Number	Relating To	Bill Summary
HB 4061	Relating to water resources; and prescribing an effective date.	Requires certain water suppliers to maintain certain records for at least 12 months and provide records to law enforcement or Water Resources Department upon request.
SB 1501	Relating to a negotiated agreement concerning private forestland;	Directs State Board of Forestry to adopt single rule package on or before November 30, 2022, to implement Private Forest Accord Report.
SB 1564	Relating to cannabis; and declaring an emergency.	Allows governing body of county that declares state of emergency related to cannabis to request that State Department of Agriculture deny issuance of industrial hemp grower licenses in area
HB 4016	Relating to cannabis; and declaring an emergency.	Authorizes Oregon Liquor and Cannabis Commission to, based on supply of and demand for marijuana, refuse to issue initial marijuana production, processing, wholesale and retail licenses for
HB 4057	Relating to minimum energy efficiency standards; and prescribing an effective date.	Adds "spray sprinkler bodies" to minimum energy efficiency standards.
HB 4067	Relating to the urban flood safety and water quality district; and prescribing an effective date.	Amends law governing urban flood safety and water quality district.
HB 4068	Relating to emergency preparedness; declaring an emergency.	Transfers Oregon Homeland Security Council to Oregon Department of Emergency Management.
HB 4077	Relating to environmental justice; prescribing an effective date.	Renames Environmental Justice Task Force as Environmental Justice Council.
HB 4087	Relating to access to emergencies; and declaring an emergency.	Requires, on or after January 1, 2023, officials of public bodies to grant news media representatives access to scenes of wildfires or natural disasters on public lands that are otherwise closed to public.
HB 4086	Relating to workers' compensation benefits.	Amends provisions of workers' compensation law related to beneficiaries.
HB 4095	Relating to veterans; prescribing an effective date.	Establishes Veterans Dental Program in Oregon Health Authority to provide oral health care to low-income veterans who reside in Oregon beginning in 2023.
HB 4138	Relating to workers' compensation benefits.	Amends provisions of workers' compensation law related to authorization of temporary disability, claim closure and overpayments of compensation.
HB 5202	Relating to state financial administration; declaring an emergency.	Appropriates moneys from General Fund to specified state agencies and Emergency Board for biennial expenses.

SB 1513	Relating to mandatory overtime shifts.	Prohibits employer from taking adverse employment action against employee employed in certain manufacturing establishments who refuses to work mandatory overtime shift unless employer has provided employee with at least five days' advance notice of overtime shift, including date and time of overtime shift.
SB 1514	Relating to employment; and declaring an emergency.	Temporarily modifies definition of "compensation," for purposes of pay equity requirements, to exclude hiring bonuses and retention bonuses.
SB 1515	Relating to family medical leave benefits.	Modifies definition of "benefit year" for purposes of paid family and medical leave insurance program.
SB 1560	Relating to noncitizens.	Updates statutory references to individual who is not citizen or national of United States to replace "alien" with "noncitizen." Directs state agencies to use "noncitizen" in rules and regulations to reference individual who is not citizen or national of United States and to update rules and regulations that use "alien" to use "noncitizen." Authorizes agencies to amend rule without prior notice or hearing for purpose of changing term or phrase in order to conform with change made by law.
SB 1586	Relating to unlawful employment practices.	Clarifies prohibitions regarding provisions that may not be included in agreements between employers and former, current or prospective employees.
SB 5701	Relating to state financial administration; declaring an emergency.	Modifies projects and amounts authorized for issuance of general obligation bonds, revenue bonds, certificates of participation and other financing agreements for biennium.
SB 5702	Relating to state financial administration; declaring an emergency.	Establishes and modifies limits on payment of expenses from specified funds by certain state agencies for capital construction.
SB 5703	Relating to state financial administration; declaring an emergency.	Modifies amounts allocated from Administrative Services Economic Development Fund to state agencies.

BUDGET ISSUES Note: This list contains an initial brainstorming of budget issues collected to date from WRD staff as of February 18, 2022. Input from the Department was informed by the Integrated Water Resources Strategy, the Department's Strategic Plan. Additional items will be added based on stakeholder and public input. This draft is for the purposes of discussion and feedback. Issues will be added, modified and refined over time with input.

Topic	Issue Description
Basin and Complex Issue Coordination	Water management in increasing complex with increasing water demands and decreasing or shifting supply expected in the future. Staff resources are needed to work with basin interests to pursue solutions to water supply challenges and address an uncertain water future. Resources are specifically needed in the Southwest Region, North Central Region, East Region and Klamath/Lake Abert/Summer & Goose Lake Basin.
Climate	Placeholder to hear stakeholder interest.
Current Water Use Estimates and Future Water Demand Forecasts	We do not readily accessible estimates of water use of water demand forecasts at the basin or regional planning scale; this makes it extremely difficult to plan and prepare for a secure water future. Current data sets are not in useable formats for communities, or are incomplete (e.g., instream demands). Develop Current and Future Water Demand Forecasts at Statewide and HUC-8 Scales. Develop current and future summaries of agricultural, municipal, and instream demands based on currently available data (e.g., WMCPs supplying peak daily diversion data, Statewide ET providing ag water use data).
Diversity, Equity, and Inclusion	To be developed with DEI Team and stakeholders
Drought	Placeholder to hear stakeholder interest.
Drought Resiliency,	Smaller, more vulnerable water systems often lack the capacity to dedicate staff for long-term planning or emergency planning. Help coordinate work for vulnerable water systems, including helping identify funding and planning opportunities, identify creative water solutions that comply within water law, and can coordinate with other relevant agencies to help smaller communities navigate their water challenges. Early identification of potential shortages in surface water/groundwater supplies for drinking water systems. Develop tool/indicator to preemptively identify drought vulnerable systems and proactively implement mitigation measures; initial steps for drought resiliency efforts; improve understanding of drought impacts; gain understanding of future of climate change and drought on water supplies
Fiscal and Water Rights Modernization	Applicants and WRD would benefit from implementation of an online application submittal system for many WRSD applications. Applicants only have the option of paying for their applications by check and mailing it with paper copies of their application. This outdated system creates unnecessary delays in accepting, reviewing, returning, and processing applications. The lack of online payment also creates a barrier for working from home, as staff must come into the office to specifically process pink slips and paperwork. Current fiscal processes rely on paper processes. Credit cards are only accepted for certain services and only online. Entry into the accounting systems accomplished by manually entering data from one system to the accounting system.
Fiscal Resource Investment(s)	Increased complexity and workload associated with increased investments. Accounting staff are monitoring and reporting on many new appropriations and funds.
Funding and support for investments in feasibility studies, water projects, and wells	Oregon has significant need for investment in water infrastructure, that is in need of update, replacement, or new construction to address water needs today. Provide funding to water supply solutions and the necessary resources to facilitate those investments including Feasibility Study Grants, Water Projects Grants and Loans, Water Well Repair, Replacement and Abandonment Fund. Address need for grant database.
Harney CREP	Need ongoing state dollars to match federal funding for retirement of GW rights in the Harney Basin. Looking for opportunities to find voluntary retirement of GW use to slow the groundwater level declines
Information Technology Modernization	Information Technology, in general, has become more complicated over the last 1-2 decades. OWRD has not kept up and has fallen behind through a lack of IT Investment. The agency now finds itself unable to meet the demands of present-day technological needs which hinders most agency operations. This package would include a number of investments needed in IT. Would also include assets tracking modernization database, including for gaging stations and other equipment.

BUDGET ISSUES Note: This list contains an initial brainstorming of budget issues collected to date from WRD staff as of February 18, 2022. Input from the Department was informed by the Integrated Water Resources Strategy, the Department's Strategic Plan. Additional items will be added based on stakeholder and public input. This draft is for the purposes of discussion and feedback. Issues will be added, modified and refined over time with input.

Integrated Water Resources Strategy	Limited staff resources to track progress on implementation of the IWRS recommended actions, monitor emerging issues to identify gaps for future updates, and implement updates.
Internal Audit Function	The Department met the criteria in 1(c) of Oregon Administrative Rule 125-700-0125 as of Fiscal Year 2016, requiring an internal auditing function (ORS 184.360). The Department received a waiver for fiscal years 2015 through 2021, while exploring options for meeting this requirement.
Joint funding request to study springs in Deschutes GW study area	See ORS 540.155(2) Results would help id possible changes to protect springs in the future from GW pumping and/or associated mitigation
Lake Abert	Basin coordinator above + potential scientific funding; Placeholder for further discussion
Levee Inventory and Inspection	No inventory of all levees. Inventory and inspect levees that pose a risk to people or property and are not under a corps of engineers' program. The inspections include a field assessment of any safety deficiencies that pose a risk to people or property.
Management Consultant	WRD needs to continue to develop and promote a workplace culture where staff thrive.
ODFW Bills and Fish Persistence Reviews	ODFW has a backlog of fish persistence reviews and is considering seeking a limited duration position to complete work. In addition, WRD is required to pay for funding for ODFW work on fee-based programs via HB 3315 (2015) but has not been provided funding. Funding for ODFW to finish fish persistence reviews. Funding for the ODFW bills for review of applications.
OpenET	Ag water use largest in the state. Important data gap. Satellite based ET feasible way to quantify at scale of individual water rights, at least in short-term. Need for ongoing support for technical support and licensure/subscription, outreach, etc.
POD clean up	PODs are not mapped to the accuracy needed for efforts like SB 1602 (2020) and other efforts where water right data like POD is important for understanding the impacts of water management changes. Start process of cleaning up data.
Public Engagement / Communications	WRD is in the process of formulating a communications program and has a limited budget for these efforts. Communications has become increasingly important as the public is increasingly interested in agency activities, the Department is seeking to strengthen its public engagement and outreach efforts, drought conditions continue, and the need for increased education to help people understand the law.
Racial Justice and Environmental Equity	Placeholder to hear interest from stakeholders and communities
Regional Water Planning and Management	Continued support for workgroup
Rulemaking	WRD has a long rulemaking backlog with limited staff support to work on rulemakings. This has led to rulemaking delays.
Scanning Water right files and other Records Modernization	Digitize enormous amounts of paper files and records to improve access for staff and the public. Determine to what extent can streamline work related to fulfilling requests for emails for public records. We are running out of space and we should provide improved internal and external access to WR and T applications. Helps speed up processing and provides better access of info to public. Scan all water right and transfer files.
Scenic Waterways shortfall	Costs associated with supporting the current Scenic Waterways program at the agency exceed the transfer amounts from OPRD. Inflationary increases have not kept up with personal services increases
Staffing of water right positions	WRSD can't keep up with the applications that have been filed. ARPA dollars are supposed to help this biennium but have not materialized and need to be permanent. Additional staff need to provide reasonable processing timelines in WR transaction programs and to make up for any fee shortfalls.

BUDGET ISSUES Note: This list contains an initial brainstorming of budget issues collected to date from WRD staff as of February 18, 2022. Input from the Department was informed by the Integrated Water Resources Strategy, the Department’s Strategic Plan. Additional items will be added based on stakeholder and public input. This draft is for the purposes of discussion and feedback. Issues will be added, modified and refined over time with input.

State Compact GW Mgmt.	Mississippi vs Tennessee Supreme Court Decision. States should enter into bi-state compacts to achieve “equitable apportionment” of groundwater where aquifers cross state boundaries. Need funding that would give us capacity to do some preliminary work around compact development on our borders. WA Ecology is also considering an ask for 2023.
Strategic Initiatives/Project and Portfolio Management	With increased agency strategic initiatives, the Department needs to invest in project and portfolio management in order to successfully manage and carry out projects
Walla Walla Water Management	Oregon, Washington and Ecology are seeking to invest in solutions and work in the Walla Walla.
Water Availability	Updated statewide water availability model needed for determining future water allocation and planning. We need to integrate best available data from existing/ongoing efforts (streamflow and groundwater data collection, water use, ET/OpenET, basin recharge/PRMS) into update modeling tool to estimate components (demands, streamflow, recharge) needed for allocation
Water Planning	Funding for Planning - Provide financial assistance that helps communities understand water resources and water challenges, and then develop strategies or solutions to sustainably meet instream and out of stream water needs. Different types of planning would be eligible under the program including: pre-planning situational assessments, small communities developing Water System Master Plans or Water Management and Conservation Plans, drought contingency planning, and integrated water resources planning. All planning would need to consider instream and out-of-stream needs.
Water Right Processing Ombudsman	Given the complex processes that take place over a long period of time, there are many opportunities for problems to arise on the path to developing and accomplishing full beneficial use of water under a water use permit or transferred right that can prevent issuance of a water right certificate. WRSD staff can spend a significant amount of time with the holder of a permit or transferred right outlining options to correct the problem and get things back on track. Educate new permit holders and inchoate transfer holders of importance of complying with conditions, understanding what they mean and require, and following through with development of their project and filing all necessary paperwork (i.e., extensions, assignments, CBUs, permit amendments, transfer reversions, etc.) Propose proactive approach to educate
Water Rights Characterization Tool and Report	Current water right databases deliver data about individual water rights – summarizing this information at basin scales necessary for planning and access by the public requires interpretation from the Department. That interpretation requires extensive time. This data and analysis were the most frequently technical assistance requested from OWRD by the planning groups and we see it as critical to future planning. Develop a web-based tool, closely linked and reliant on our existing databases, that summarizes water rights by HUC-8, HUC-10, or other standard spatial area so that planning groups can have a good understanding of what water has been allocated in their area.

LC/POP	Summary
LC	Transfers of Storage: Placeholder for solutions coming forward from the HB 3103 workgroup.
LC/POP	Fees Workgroup: Placeholder for solutions coming forward from the fees workgroup HB 5006 “to develop more sustainable, long-term funding mechanisms to support fee based programs”
LC	Split Season Leasing: A Split Season Instream Lease, allows the water right holder to use the water during part of the season, and then lease the water right instream during the other part of the season. This can be a good tool in cases where the water right holder does not want to fallow land for the entire season. The Departments authority for split season leasing sunsets January 2, 2024. Propose to make the program permanent. ORS 537.348 <i>Note: WRD would like to amend rule OAR 690-077-0079 to increase the notice timeframe from two weeks to 30 days.</i>
LC/POP	Planning: The Department’s authority to provide grants for place-based planning sunsets July 1, 2023 (see ORS 536.220) The Department is proposing the creation of a new fund, the Water Planning Fund , through which it would provide multi-purpose water planning grants to eligible entities in order to help equip them to plan and prepare for their water future. The purpose of the fund is to provide financial assistance that helps communities understand water resources and water challenges, and then develop strategies or solutions to sustainably meet instream and out of stream water needs. The grants would be multi-purpose in the sense that different types of planning would be eligible under the program and applicants would identify which type of plan or plan components for which it is requesting funding. Planning may be of several varieties including: pre-planning situational assessments, small communities developing Water System Master Plans or Water Management and Conservation Plans, drought contingency planning, and integrated water resources planning. All planning would need to consider instream and out-of-stream needs.
LC	Enforcement/Cannabis – Depending on outcomes of 2022 session

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Split Season Leasing

537.348 Purchase, lease or gift of water right for conversion to in-stream water right; priority dates; split use. (1) Any person may purchase or lease all or a portion of an existing water right or accept a gift of all or a portion of an existing water right for conversion to an in-stream water right. Any water right converted to an in-stream water right under this section shall retain the priority date of the water right purchased, leased or received as a gift. At the request of the person the Water Resources Commission shall issue a new certificate for the in-stream water right showing the original priority date of the purchased, gifted or leased water right. Except as provided in subsections (2) to (6) of this section, a person who transfers a water right by purchase, lease or gift under this subsection shall comply with the requirements for the transfer of a water right under ORS 540.505 to 540.585.

(2) Subject to subsections (3) to (6) of this section, any person who has an existing water right may lease all or a portion of the existing water right for use as an in-stream water right for a specified period without the loss of the original priority date. During the term of the lease, the use of the water right as an in-stream water right shall be considered a beneficial use. The term of the lease may not exceed five years. There is no limitation on the number of times that the lease may be renewed. However, the total period for which a water right may be leased for split use as described in subsection (3) of this section may not exceed 10 years regardless of the number of leases or renewals of leases issued for the water right.

(3) A lease of all or a portion of an existing water right for use as an in-stream water right under subsection (2) of this section may allow the split use of the water between the existing water right and the in-stream water right during the same calendar year, provided:

(a) The uses of the existing water right and the in-stream water right are not concurrent; and

(b) The holders of the water rights measure and report to the Water Resources Department the use of the existing water right and the in-stream water right.

(4) A person who has an existing water right and wishes to lease the water right as described in subsection (2) of this section must file a request and obtain department approval of the lease. Upon receipt of the request, the department shall provide notice of the request by inclusion in the weekly notice published by the department. Any allegation of injury must be delivered to the department no later than 21 days after publication of the request in the weekly notice.

(5) After publishing notice of a request made under subsection (2) of this section and allowing time for the delivery of allegations of injury, the department shall issue an order approving the request if the department finds that the leasing of the water right for in-stream use can be effected without injury to other existing water rights or can be conditioned to prevent injury to other existing water rights. If the lease is for the split use of water between the existing water right and the in-stream water right during the same calendar year, the conditions imposed in the order approving the request must include, but need not be limited to, compliance with subsection (3) of this section.

(6) The department at any time may revoke or modify an order issued for a lease under subsection (2) of this section if the department determines that the use of the water right for in-stream use under the

lease has resulted in or may result in injury to an existing water right. [1987 c.859 §9; 2001 c.205 §§1,2; 2013 c.165 §1]

Note: The amendments to 537.348 by section 2, chapter 165, Oregon Laws 2013, become operative January 2, 2024. See section 3, chapter 165, Oregon Laws 2013. The text that is operative on and after January 2, 2024, is set forth for the user's convenience.

537.348. (1) Any person may purchase or lease all or a portion of an existing water right or accept a gift of all or a portion of an existing water right for conversion to an in-stream water right. Any water right converted to an in-stream water right under this section shall retain the priority date of the water right purchased, leased or received as a gift. At the request of the person the Water Resources Commission shall issue a new certificate for the in-stream water right showing the original priority date of the purchased, gifted or leased water right. Except as provided in subsections (2) to (5) of this section, a person who transfers a water right by purchase, lease or gift under this subsection shall comply with the requirements for the transfer of a water right under ORS 540.505 to 540.585.

(2) Subject to subsections (3) to (5) of this section, any person who has an existing water right may lease all or a portion of the existing water right for use as an in-stream water right for a specified period without the loss of the original priority date. During the term of the lease, the use of the water right as an in-stream water right shall be considered a beneficial use. The term of the lease may not exceed five years. There is no limitation on the number of times that the lease may be renewed.

(3) A person who has an existing water right and wishes to lease the water right as described in subsection (2) of this section must file a request and obtain department approval of the lease. Upon receipt of the request, the department shall provide notice of the request by inclusion in the weekly notice published by the department. Any allegation of injury must be delivered to the department no later than 21 days after publication of the request in the weekly notice.

(4) After publishing notice of a request made under subsection (2) of this section and allowing time for the delivery of allegations of injury, the department shall issue an order approving the request if the department finds that the leasing of the water right for in-stream use can be effected without injury to other existing water rights or can be conditioned to prevent injury to other existing water rights.

(5) The department at any time may revoke or modify an order issued for a lease under subsection (2) of this section if the department determines that the use of the water right for in-stream use under the lease has resulted in or may result in injury to an existing water right.

Note: Section 5 (2), chapter 165, Oregon Laws 2013, provides:

Sec. 5. (2) Notwithstanding the amendments to ORS 537.348 by section 2 of this 2013 Act, any lease or lease renewal allowing the split use of water between an existing water right and an in-stream water right during the same calendar year and having a term that began before the operative date of the amendments to ORS 537.348 by section 2 of this 2013 Act [January 2, 2024] may continue in effect until the earlier of the expiration of the term or five years after the operative date of the amendments to ORS 537.348 by section 2 of this 2013 Act. This subsection does not allow the total period for which a water right may be leased for the split use of water during the same calendar year to exceed 10 years. [2013 c.165 §5(2)]

Transfers of Stored Water

HB 3103 Section 3:

SECTION 3. For the purpose of finding agreement among stakeholders on a path forward for transfers of stored water and development of related legislative proposals, the Water Resources Commission shall:

(1) Engage professional facilitation services. (2) Seek a facilitator with national renown and subject matter expertise. (3) Retain, if possible, a senior lead facilitator and a junior support facilitator. (4) Hold six to 12 meetings, in person if practicable, with at least 20 diverse stakeholders, including from federal and state agencies, between the effective date of this 2021 Act and June 30, 2023. (5) Design a process for the meetings and conduct stakeholder interviews and research before the meetings.

Place Based Planning ORs 536.220

Note: Sections 2 and 3, chapter 780, Oregon Laws 2015, provide:

Sec. 2. (1) As used in this section, “place-based integrated water resources” means waters that are from sources within a single drainage basin or within an area that is a subset of a single drainage basin.

(2) The Water Resources Department may issue grants from available moneys to facilitate the preparation of place-based integrated water resources strategies that are consistent with state laws concerning the water resources of this state, state water resources policy and department requirements. The department may issue grants under this subsection to:

(a) A person;

(b) A public body as defined in ORS 174.109; or

(c) An Indian tribe.

(3) The department may enter into contracts or agreements with, and provide technical assistance and information to, a person, a public body as defined in ORS 174.109 or an Indian tribe for the development of place-based integrated water resources strategies.

(4) Place-based integrated water resources strategies described in subsections (2) and (3) of this section must:

(a) Be developed in collaboration with a balanced representation of interests;

(b) Balance current and future in-stream and out-of-stream needs;

(c) Include the development of actions that are consistent with the existing state laws concerning the water resources of this state and state water resources policy;

(d) Facilitate implementation of local solutions;

(e) Be developed utilizing an open and transparent process that fosters public participation; and

(f) Be developed in consultation with the department.

(5) The Water Resources Commission may adopt rules for the administration of this section. [2015 c.780 §2]

Sec. 3. (1) Section 2, chapter 780, Oregon Laws 2015, is repealed July 1, 2023.

(2) The repeal of section 2, chapter 780, Oregon Laws 2015, does not affect any rights or responsibilities established in a grant, contract or agreement made under section 2, chapter 780, Oregon Laws 2015, prior to July 1, 2023. [2015 c.780 §3; 2019 c.482 §1]