



2025-26 Water Rights Rulemaking

**Rules Advisory Committee (RAC) Meeting 1
Salem/Zoom**

Agenda

- Welcome & Introductions
- Rulemaking Process
- Rulemaking Need & Background
- Draft Rules
 - Divisions 52, 53, 54, 14, 320, 340, 325
- Public Comment
- Wrap and Next Steps

Staff & RAC Member Introductions

- Name
- Organization/Interest Representing

RAC Operating Guidelines

RAC Role

- Provide information/recommendations regarding draft rule language; potential fiscal impacts; cost of compliance; and racial equity

OWRD Role

- Facilitate meetings
- Provide technical support and subject matter expertise
- Determine proposed rule language to be included in public notice

Rulemaking Process

Please remember to...

- Treat others respectfully
- Remain “muted” when not speaking
- Use the “raise hand” feature to indicate you would like to speak
- RAC members: Please hold your questions/comments until the end of the presentation
- Other attendees: Please hold your questions/comments until the Public Comment Period

Overview of Rulemaking Process



Draft Rules & Statement of Need/Fiscal Impact



Rulemaking Advisory Committee (RAC)



Notice of Proposed Rulemaking

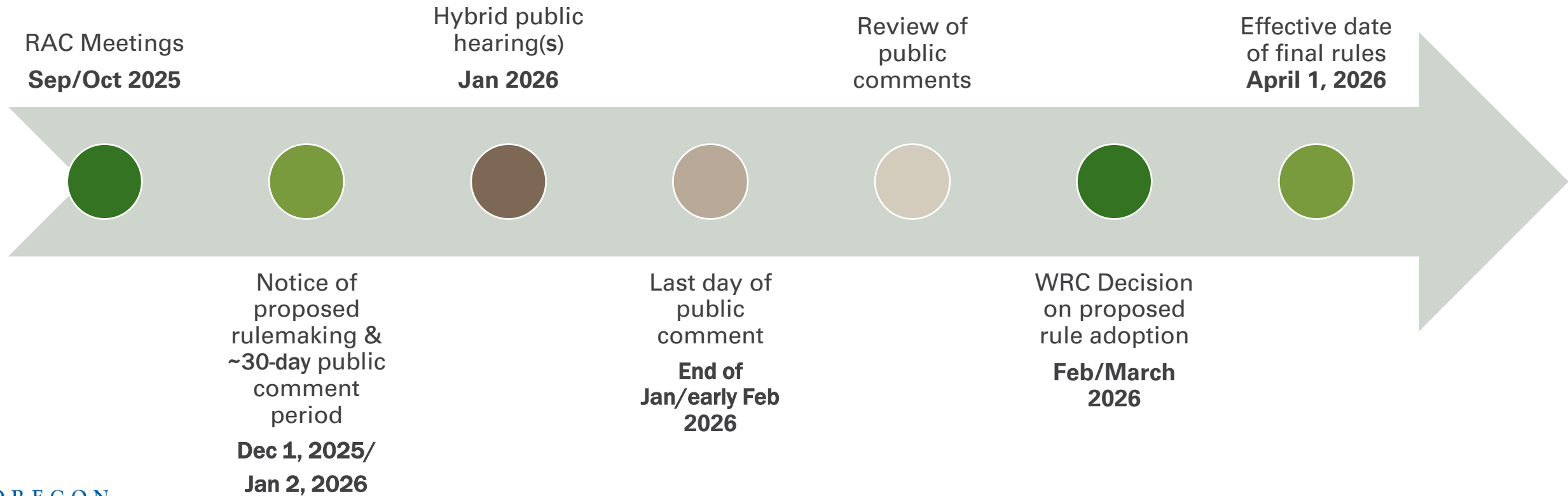


Public Comment Period & Hearing(s)



Staff Recommendation & Commission Decision

Rulemaking Timeline



Tentative RAC Meeting Schedule

- Sept 17 – Divisions 52, 53, 54, 14, 320, 340, 325
- Sept 24 – Divisions 305 (new), 2, 300
- Oct 14 – Divisions 310, 18, 315
- Oct 15 – Divisions 380, 382 (time allowing)
- Oct 21 – Divisions 382, 77
- Oct 29 (am) - Division 77
 - Draft Notice: Need, Racial Equity Impacts, Fiscal & Economic Impacts
- Oct 29 (pm) - Division 17
 - Draft Notice: Need, Racial Equity Impacts, Fiscal & Economic Impacts
- Nov TBD – as needed

Need & Background

Rulemaking Background & Need

- 2025 Legislative Session
 - Expectations from legislature and governor
 - House Bill 3544 – contested case processes
 - House Bill 3342 – water right transactions
- Policy & process improvements for impacted rule divisions
- Minor (grammar, spelling, statutory references, etc.)
- Outdated rules that do not conform to statute; other recent legislation
- Creating consistent processes where possible

House Bill 3544

- Uniform Processes
- Standardized Schedule and Timelines
- Oral Testimony
- Efficient Final Orders
- Settlement Opportunities
- Accessible Hearing Locations
- Streamlined Standing and Intervention
- Consistent protest and party status requirements

House Bill 3342

- Electronic documentation
- Shift public notice to OWRD weekly notice
- Credit/debit card processing
- Withdrawal of waters from appropriation technical fix
- Efficient review where water is restricted
- Phased application processing and fee payment
- Limits on extensions

Rulemaking Scope

- Applications for
 - new water rights
 - changes to existing water rights
 - extensions on timelines to develop water right permits
 - protecting water instream (e.g., leasing, transfers, conserved water, new water rights)
 - others
- Hydroelectric processes (limited scope; mostly contested case)
- Forfeiture & cancellation
- Contested Cases / Protests
- Mapping standardization

Rule Discussion

Public Comment

Wrap Up/Next Steps

Wrap Up/Next Steps

- Next RAC Meeting – Sept 24, 2025
 - Divisions 305 (new), 2, 300
- Provide Input/Feedback for RAC 1 – Oct 1, 2025
 - Please email Laura Hartt (laura.a.hartt@water.oregon.gov)

OREGON



WATER RESOURCES
DEPARTMENT

Thank you!

Laura Hartt, Rules Coordinator

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