



OREGON
WATERSHED
ENHANCEMENT BOARD

Agenda Item O

Initiate Rulemaking –

Division 35

Board Meeting July 25-26, 2023



Oregon

Tina Kotek, Governor



OREGON
WATERSHED
ENHANCEMENT BOARD

775 Summer Street NE, Suite 360
Salem OR 97301-1290
www.oregon.gov/oweb
(503) 986-0178

Agenda Item O supports all OWEB Strategic Plan priorities.

MEMORANDUM

TO: Oregon Watershed Enhancement Board
FROM: Eric Hartstein, Board and Legislative Policy Coordinator
SUBJECT: Agenda Item O – OWEB Rulemaking
July 25-26, 2023, Board Meeting

I. Introduction

This report seeks board authorization to initiate rulemaking for the OWEB Small Grant Program (Division 35) and a new grant program provided to the agency through the 2023 Legislature.

II. Background

The Small Grant Program is an easy-to-engage-in, competitive grant program that awards funds for on-the-ground restoration projects. The program responds to a need for local decision-making about watershed restoration opportunities on a timeline shorter than many of OWEB’s other grant programs. The board has expressed interest in examining the eligible applicants and types of grants offered through the grant program.

In the 2023 legislative session, OWEB was directed to administer a new grant program related to source drinking water protection as described in the Director’s Update D-2 report for this meeting. The legislation provided rulemaking authority to OWEB to establish this grant program.

III. Proposed Rulemaking Process

Staff will convene rules advisory committees (RACs) for Division 35 and for the Source Drinking Water Protection Grant Program that OWEB was legislatively directed to administer. RACs will be composed of potential grant applicants, reviewers, and others most likely to be impacted by the administrative rules that govern the grant programs. Staff propose to develop the rules in accordance with the draft schedule below.

Rulemaking Action	Dates/Deadlines
Board Authorization for Rulemaking	July 2023
Draft Rules Developed	Fall 2023

RAC Meetings to Vet Draft Rules and Provide Feedback	Fall-Winter, 2023/2024
Draft Rules Revised Based on RAC Feedback	April 1, 2024
Notice Filed with Secretary of State	April 1, 2024
Public Comment Materials posted online	April 1, 2024
Notice to Agency Mailing List and Legislators	April 1, 2024
Secretary of State's Bulletin	April 1, 2024
Public Comment Period	April 1-April 30, 2024
Public Hearing(s)	April 2024
Revisions to Draft Rules Based on Public Comment	May/June 2024
Board Adoption of Rules	July 2024

Table 1

IV. Recommendation

Staff recommend that the board authorize rulemaking for the Small Grant Program in Division 35 and to establish the Source Drinking Water Protection Grant Program.