**2023 ENACTED LEGISLATION IMPACTING SWCDs July 2023**

This document provides a summary of legislation that passed, describes to what will happen next, and highlights information to help determine how the legislation relates to your District. It also provides information on a few key priorities that did not make it to the finish line.

[**HB 2010: Omnibus Water Bill**](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled)

This legislation combined various water-related bills introduced earlier in the session. The link to [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled) will allow you to read the section that applies to each program listed below. The entire package was funded with about $110 million. Everything in this package becomes law immediately upon passage of the legislation (That means after signature of the governor and the governor must sign or veto by 30 days after the end of the session. If she does not sign or veto by July 25, 2023, the legislation becomes effective by default.)

**Community Drinkng Water Enhancement and Protection Fund** (originally HB 2813)

This watershed protection program sets up an OWEB grant program for water suppliers to protect, restore or enhance sources of drinking water. Grants up to $3 million each will be issued on a rolling basis. Water suppliers would need to serve rural communities and those experiencing lower incomes, or in an area below a specified population level. The water supplier can form a partnership to apply for a grant with a holder of a conservation easement, such as a land trust, a city, an SWCD, or other entity described in the statute. $1 million is provided to the Community Drinking Water Enhancement and Protection Fund to be granted by OWEB and $4 million will be made available through lottery bond funds for a total of $5 million for the program OWEB staffing cost is included in the legislation. See Sections 1-4 in [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled).

***Next steps: OWEB Rulemaking will be scheduled to identify the application process and requirements.***

**Aquifer Recharge Program** (originally SB 455)

Sections 28-34 of [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled) set up the ***Aquifer Recharge Due Diligence Grant Program*** within the Oregon Business Development Department. Municipalities, special districts, tribes, and counties can apply. Grants can be for test pits, modeling, boring and soil sampling, design, and engineering, monitoring, and sampling and other conservation projects. The area of the project must be designated in a “*restrictive area*” (such as withdrawal or critical groundwater area or areas where groundwater can no longer be appropriated). A monitoring and sampling plan is required from WRD and DEQ. Forgivable loans can also be acquired. The legislature allocated $3 million for this program for the biennium plus staffing cost.

***Next steps: OBDD Rulemaking will be scheduled to identify the application process and requirements.***

**OSU Agricultural Water Management Technical Assistance Program** (originally HB 3103)

Sections 12-14 of [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled) calls for the OSU Extension Service and the OSU Agricultural Experiment Station to establish an agricultural water management technical assistance program. The program will be voluntary and include building collaborative relationships with water and land managers by providing tools and data and on-farm demonstrations. The program could also assist landowners who want to use OWRD’s allocation of conserved water process. The sum of $3,085,581 is granted to the Southern Oregon Research and Extension Station to carry out the program.

***Next Steps: You can hear more about this program as it progresses from your local extension office. As information is received by OACD it will be shared through the newsletter.***

**Place-based Integrated Water Resource Planning Program** (originally HB 3163)

Sections 15 and 16 of [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled) establish definitions for the Water Resources Department’s (WRD) place-based planning program and set up the Place-based Water Planning Fund to fund eligible implementation coordination costs for agencies and local place-based planning activities. A definition was added of “eligible implementation coordination costs” that excludes the costs of implementing a project. Grants can be awarded to persons working within the process and WRD may require cost matching. Grants are for the purpose of data collection, technical assistance, training, necessary gatherings, and consultations. A sum of $2 million is allocated to the planning fund for this biennium in addition to staffing costs of the team of agencies. The Water Resources Commission will consider state-recognized place-based integrated water resources plans when updating the integrated state water resources strategy (IWRS).

***Next Steps: Unknown if rules need to be updated to allow this expansion to the existing statute. The Water Resources Commission may discuss next steps at its September 14-15 meeting.***

**Juniper Removal Fund** (originally HB 3142)

Funds are directed from the Department of Administrative Services (DAS) to SWCDs and counties in the following named counties for the removal of Western Juniper: *Crook, Jefferson, Klamath, Deschutes, Harney, Wheeler,* and *Lake*. Sites must be 100 acres or larger. The grant recipient will work with OSU to track and monitor and submit reports. For districts, this is part of the ongoing sage grouse habitat work. A companion bill to allow tax credits for producing juniper biomass failed in the session. See Sections 35-39 of [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled) for details on removal grants and Sections 48-50 for the breakdown of funding per county. There is an additional $800,000 to be distributed to OSU to support the process and monitor progress.

***Next Steps: Rulemaking is not anticipated; funds have gone directly to DAS to expedite work on the ground.***

**Integrated Water Resources Strategy (IWRS) )** (originally HB 3100)

The legislation makes changes to the IWRS process. OWEB and ODA were added to DEQ and ODFW as the agencies to cooperate in the IWRS work, and provisions to promote engagement with environmental justice communities were added. The plans will now describe critical water issues in the basins and incorporate actions concerning water-related natural hazards and challenges presented by climate change. A coordination role with federal agencies and bordering states has also been added. Water Resources Commission will now review the IWRS every 8 years instead of 10. WRD will report to the legislature biennially on progress. See Sections 10 and 11 in [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled) for detail. Funding for agency staffing was included.

***Next Steps: Rulemaking will likely be required. OACD will alert you when proposed rules provide for public comment.***

**Water Supply Development Loan Program** (originally HB 3575)

Instead of funding the program from state bonds once a year as is the current case, WRD is required to provide at least two fundings a year to better meet project needs that are dependent upon seasonal work. There are a number of kinds of projects that districts could fund through this program. See Section 27 of [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled) for detail.

***Next Steps: Rulemaking likely not required***

**Basin Assessments for All Basin** (originally HB 3368)

(formerly HB 3099)Section 7 of [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled) requires that on or before October 1, 2024, the WRD shall develop, and provide a report to the Legislative Assembly related to water, an updated scope and estimated cost and timeline for implementing the 1998 Stewardship and Supply Initiative and a proposed approach to sequencing development of river basin assessment reports. Staff funding was allocated to support the request.

***Next Steps: A report is due from WRD to the legislature October 1, 2024.***

**Chewaucan Facilitated Watershed Study** (originally HB 3099)

The Oregon Consensus group at PSU and OSU are to establish a collaborative process for developing

* shared understanding of water management for the watershed
* identification of broadly supported actions
* strategy for meeting water needs, including agricultural operations in communities, Lake Abert, wet meadows and fish and wildlife
* ecological health of Lake Abert and the watershed
* consideration of social, economic, and environmental benefits and impacts
* guidance by a governance agreement that describes participation, scope and decision-making process
* a balance of interests in instream and out-of-stream benefits
* a plan for current and future needs in accord with related laws
* an open and transparent process in consultation with appropriate agencies
* a strategy for not interfering with existing rights as of this date, nor delay or preclude activities regarding water rights
* coordination among agencies to collect information and data, including a refined hydrologic analysis

Funding of $420,000 is allocated for the process and $150,000 to OSU for data and information and funds for WRD staffing. See policy Sections 8 and 9 in [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled).

***Next Steps: Rulemaking should not be required to carry out studies.***

**Harney Valley Groundwater Area of Concern** (originally HB 3130)

Section 43 of [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled) will fund a staff person at WRD to work on this issue, or alternatively, in coordination with the Harney County Court (county commissioners) contract with a qualified entity to:

* advise groundwater users in the Greater Harney Valley Groundwater Area of Concern and other interested stakeholders of the process of securing groundwater management in the area of concern by proposing voluntary agreements among groundwater users to share water from the same underground reservoir;
* assess opportunities and limitation of using the voluntary agreements; and
* assist groundwater users in the area of concern in using the agreements.

A sum of $254,870 is allocated to carry out the work.

***Next Steps: This work can proceed without rulemaking. If an agreement process is implemented as a result, then rules would be required prior to undertaking that process.***

**Water Reporting Required**

Section 26 of [HB 2010](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2010/Enrolled) allows WRD to require reporting of measurement upon request.

***Next Steps: No rulemaking required. When the intent of legislation is clearly defined and not far reaching, the statute stands as direction.***

[**HB 3409: Omnibus Climate Bill**](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB3409/Enrolled)

Multiple bills related to climate were packaged in HB 3409. The following includes the bills that are most applicable to districts; there are other sections on topics such as housing and electric vehicles. The entire package has approximately $90 million in funding. The legislation has an emergency clause, so it is effective the date of passage.

**Natural Climate Solutions on Natural and Working Lands** (originally SB 530)

Sections 53-67 of [HB 3409](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB3409/Enrolled) establish the program, which is funded with $10 million for the grant program and $1,520,146 for the Oregon Department of Energy (ODOE) staffing. Agency administrative costs for all participating agencies are capped at 10%. The program is voluntary with incentives for participation.

Section 53 sets up definitions for the program, including climate resilience, natural climate solution, and natural and working lands.

Section 54 states the policy of the State is to employ strategies to advance natural climate solutions to mitigate the future impacts of climate change. This section speaks to

* Investing in research
* Recognizing climate, ecosystem, and carbon benefits
* Securing and leveraging federal and private funds to carry out the program
* Natural climate solutions role in increasing carbon sequestration and storage to strengthen resilience
* Ensuring equitable benefits through environmental justice communities and landowners and land managers
* Strengthening technical assistance efforts
* Improving soil heath and productivity, drought resilience, and wildfire resistance while protecting drinking water and water quality
* Improving protection for coastal communities from storm surges

Section 55 establishes the Natural and Working Lands Fund. The $10 million in the fund will be appropriated to OWEB, and OWEB will then transfer funds to the participating agencies under the direction of the Oregon Global Warming Commission (OGWC). Priority will be given to the use of existing programs. OGWC will annually determine distribution based on the ability of the agency to carry out programs based on activities and how the allocation may determine additional federal investment. Agencies will report progress to the OGWC and the OGWC will report to the legislature. Money will be distributed to these agency funds:

* Agriculture Natural Climate Fund (ODA)
* Forestry Natural Climate Fund (ODF)
* Watershed Natural Climate Fund (OWEB)
* Fish and Wildlife Natural Climate Fund (ODFW)

The OGWC, in coordination with the named agencies and ODOE, and with input from the Department of State Lands, DLCD, State Parks and Recreation, and relevant federal agencies, shall establish and maintain:

* A net biological carbon sequestration and storage baseline for natural and working lands, using 1990 as a base year if adequate support for data is available
* Activity-based metrics to evaluate progress toward increasing net biological carbon sequestration and storage as measured against the baseline
* Community impact metrics, and
* By January 1, 2025, establish nonbinding biological carbon sequestration and storage goals for the state’s natural and working lands that will be updated as information becomes available.

Section 59 sets up a process for developing an inventory based on best field-based and remote sensing data with methods used to assess greenhouse gas fluxes related to land use, land change and forestry based on the U.S. EPA’s Inventory database. The environmental justice mapping tool that will be developed will also be integrated. A draft version of the inventory report will receive public review and updates to the report will be provided by ODOE to the OGWC each year prior to December 1.

Section 60 requires a study regarding workforce and training programs needed to implement the program and a report to the legislature by September 16, 2024.

Section 62 sets up the Natural and Working Lands Advisory Committee. An earlier committee was established in 2022 and completed its work in 2023. The new committee will consist of at least 15 members appointed within various industry and other background areas as detailed in the legislation. OACD promoted that two members would have landowner technical assistance expertise (a role for districts).

***Next Steps:***

* ***OGWC will conduct rulemaking on dissemination of the grant funds.***
* ***The relevant agencies will conduct rulemaking regarding their application processes, eligibility criteria, maximum amounts, and reporting requirements.***
* ***OGWC will establish the*** ***Natural and Working Lands Advisory Committee as detailed in the legislation.***
* ***By January 1, 2025, OGWC in working with other agencies will establish carbon sequestration and storage goals for natural and working lands.***

**Community Green Infrastructure Grant Program** (originally HB 3016)

Sections 22-26 of [HB 3409](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB3409/Enrolled) create the Community Green Infrastructure Grant Fund in DLCD. Green infrastructure provides a range of social, environmental, and economic benefits of green infrastructure, including climate change mitigation, adaptation, and resilience; support for community food pathways through regenerative agriculture, water quality improvements, water conservation, habitat improvements, carbon sequestration and many other project-related benefits.

Districts may apply for projects under this Fund. DLCD can enter into agreements with state agencies, including OWEB and ODA, among others, to develop projects. Watershed councils and other nonprofits would also be able to apply, as well as municipalities and districts. An applicant can also work with a state agency. An advisory committee may be appointed to include city, county, special district, environmental justice communities, the nursery industry, recreation entities, educators, tribes, and others. A total of $6.5 million is allocated for project grants and funding for ODF for staffing is also provided.

***Next Steps: DLCD Rulemaking will be required to set up the grant program.***

**Finding Opportunities and Reducing Conflict in Energy Siting Process** (originally HB 3181)

Sections 35-37 of [HB 3409](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB3409/Enrolled) requires the Department of Land Conservation and Development (DLCD) to develop rules for allow a local government to consider a photovoltaic solar power generation facility a rural industrial use for purposes of justifying a reason for an exception under ORS 197.732 (2)(c)(A). A Rules Advisory Committee (RAC) for Siting Photovoltaic Solar Power Generation Facilities is established to serve as advisory to the Land Conservation and Development Commission (LCDC) to inform the rulemaking process. The legislation outlines the representatives required for the RAC of at least 17 members. The legislation requires rules must be adopted by LCDC by July 1, 2025.

***Next Steps: Establishment of the RAC.***

**Oregon Global Warming Commission** (originally SB 522)

Sections 39-52 of [HB 3409](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB3409/Enrolled) relate to the renaming of the OGWC to the Climate Action Commission (CAC) and in addition provide for:

* adding 10 new members appointed by the Governor (see section 40 for detail)
* adding 8 more agency ex-officio members (including OWEB and DLCD)
* directing the CAC to prepare a detailed forecast of expected greenhouse gas emissions (GHG) reduction goals and make recommendations to the legislature based on science
* DEQ in consultation with the CAC shall evaluate opportunities to reduce GHG emissions and report their findings to the legislature.

The legislation provides $775,835 to the Department of Energy to staff the work in these sections.

***Next Steps: May not require rulemaking to carry out the directives of the legislation.***

**Harmful Algae Blooms** (originally HB 2647)

Sections 82-85 of [HB 3409](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB3409/Enrolled) require DEQ and the Oregon Health Authority (OHA) to develop a system for monitoring and testing for harmful algae blooms. The department shall work with persons to develop pollution reduction plans for point and nonpoint sources for water bodies downstream from drinking water sources susceptible to harmful algae blooms. This process could affect SIAs or other water quality programs considering identification and mitigation of sources of pollution. Funding of $567,434 is provided to the two agencies to carry out the work.

***Next Steps: DEQ Rulemaking likely needed to set up the testing protocols***

**OTHER LEGISLATION PASSED**

**Wildfire-Related**

**Wildfire Risk Reduction -** [**SB 509A**](https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/SB509)

* sets forth the state policy to assist communities and property owners in implementing wildfire risk reduction activities
* establishes a grant and incentive program to support communities, counties, and the public on a prioritized need basis
* State Fire Marshall (SFM) to establish a neighborhood protection cooperative program to streamline and improve assistance programs for wildfire
* SFM to train consultants to work with applicants
* SFM to hold public hearings, adopt rules, coordinate with other state agencies
* SFM to set up a user-friendly accessible website for the program
* SFM to build a 20-year strategic program
* SFM to coordinate with local governments and special districts (us)
* appropriates $10 million for the program

This bill has an emergency clause and takes effect upon passage.

***Next Steps: The State Fire Marshall is to work with local communities and special districts in implementing the statute and may reach out to districts.***

**State Forestry Wildfire Program –** [**SB 80**](https://olis.oregonlegislature.gov/liz/2023R1/Measures/ProposedAmendments/SB80)

The legislation defines the development of the statewide “wildfire hazard map” which has been very contentious in prior public hearings. The legislation changes the designations for WUI (Wildfire Urban Interface) and identifies where WUI designations will be placed. High hazard property owners must be notified by ODF of the impact on their property and an appeal process for property owners is established. A Wildfire Programs Advisory Council will review the mapping. Resources for wildfire hazard reduction and resiliency will be targeted to those areas most in need. The agency will partner with local relevant communities. The Landscape Resiliency Fund will be set up to provide resources. The legislation also speaks to prescribed fires requirements. This legislation has an emergency clause and takes effect July 1, 2023.

***Next Steps: ODF will work with OSU to develop current mapping; likely rulemaking may be needed on the funding component.***

**Water-Related**

**Forfeiture During Drought Declaration** - [**SB 718A**](http://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/SB718)

As used in this legislation, “drought year” means when the governor has declared a severe, continuing drought exists in a county. When that occurs, the holder of a water right does not need to count the drought year within the required 5 years of beneficial use to maintain the water right when the water right holder is able and willing to use the water but cannot due to drought. After the drought year, the count continues within the 5-year requirement, including the immediately prior years and the year following drought. The drought year of non-use does not reset the 5-year clock. The legislation becomes effective September 23, 2023.

***Next Steps: This will not likely require rulemaking.***

**Property Tax Exemption When Leasing Water Instream –** [**HB 2971A**.](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2971/Enrolled)

Irrigated farmland under the farm tax exemption program retains its tax deductibility when the water for irrigation is leased instream. The conservation easement, deed restriction, wildlife habitat conservation and management plan or final order issued by WRD for an instream lease must be presented to the county assessor to maintain the exemption. The legislation is in effect on January 1, 2024.

***Next Steps: There could be WRD rulemaking.***

**Split Season Instream Leasing -** [**HB 3164**](https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/HB3164)

All or a portion of a water right may be split in use between its intended beneficial use and instream use during the same calendar period when its uses are not concurrent and the holders of the water right measures and reports the uses to OWRD. The term of the instream lease shall not exceed five years, but it can be renewed. This legislation removes the earlier statutory requirement that had a sunset clause ending the program.

***Next Steps: Since this program already exists, there should not be a need for rulemaking.***

**DEQ/WRD Expanded Beneficial Water Use Program -** [**HB 3231**](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB3231/A-Engrossed)

The legislation’s intent is to study water reuse barriers and opportunities for water reuse and develop technical assistance guidance for entities to develop recycled water applications. DEQ, in consultation with OWRD and other relevant state agencies or parties, shall define barriers and develop technical assistance for the program. The sum of $340,000 is allocated for the work. The legislation is effective September 24, 2023, and repealed on January 2, 2025.

***Next Steps: DEQ progress report to the legislature by December 31, 2023, and final report by September 15, 2024.***

**Violation of Water Rights - HB 2929**

If OWRD has information that a person has engaged in an activity that is in violation of a water right, in addition to any other available remedies, the department may apply to the Circuit Court for Marion County or to the circuit court of any county in which the activity occurs, for a temporary or permanent injunction requiring the person to refrain from the activity and take every action necessary to remedy the violation or any threat to water supplies, public health or public safety resulting from the violation. The legislation has a sunset clause repealing it on January 2, 2030.

***Next Steps: On or before September 15, 2028, OWRC must report to the legislature the use of the injunctive authority.***

**SWCD Boards**

**SWCD Board Eligibility -** [**SB 775**](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/SB775/Enrolled)

In counties of 250,000 or higher population, there are no longer any land ownership or management requirements to serve on District boards. OACD did not take a position on this bill.

***Next Steps: The legislation will be in effect for elections for SWCD boards beginning in 2024.***

**Wildlife/Fish-Related**

**Wildlife Habitat Conservation and Management Plan (WHCMP)** – [**HB 2527**](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2527)

The legislation was sponsored by OACD on behalf of a team of SWCDs. It has streamlining provisions for the WHCMP program to provide for more projects to be monitored by ODFW. It streamlines the WHCMP process so more projects can be included for private landowners who provide wildlife habitat on their property. The process delegates technical assistance, review, and inspection to cooperating agencies, including SWCDs. ODFW may set priorities based on geographic areas. The legislation is effective September 24, 2023. More information is available in the flyer and talking points in the advocacy section on the OACD member portal.

***Next Steps: ODFW Rulemaking to adopt the new streamlined process.***

**Salmon Credits** - [**HB 2206A**](https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/HB2206)

The Department of State Lands (DSL), in consultation with ODFW, is required to create a salmon credit pilot program to improve the health of wild coho and chinook salmon in the Coquille and Coos watershed basins. The pilot program will create financial incentives for landowners to engage in voluntary salmonid habitat restoration projects. The legislation allows persons to purchase credits in lieu of a resolution or violation penalty. DSL and ODFW shall also consult with OWRD and ODA. There is an exception that protects the property tax exemption for agriculture purposes. Salmon credits are not transferable, except with the sale of property. The legislation is effective September 24, 2023.

***Next Steps: DSL Rulemaking to establish requirements for credits, types of projects applicable, inspection and certification procedures.***

**Wildlife Corridor Action Plan - HB 2999**

The Department of Transportation (ODOT) shall establish a program to reduce wildlife-vehicle collisions in areas where wildlife corridors identified in the ODFW Wildlife Corridor Action Plan intersect with proposed or existing public roads. Feasibility studies and plans for creating or modifying road infrastructure to reduce collisions may be undertaken. The legislation allocated $5 million invested in the ODFW Oregon Conservation and Recreation Fund for the purposes of this program. The legislation is effective September 24, 2023.

***Next Steps: ODOT is to report biennially to the legislature on the status of the program.***

**Task Force on Elk and Deer Damage -**  [**HB 3052**](https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/HB3052)

Task force members will be appointed primarily by ODA and include 8 members from specifically named counties: Baker, Deschutes, Grant, Harney, Morrow, Umatilla, Union, and Wallowa. Two members will be appointed by legislative leadership and one by ODFW. The task force will investigate elk and deer damage on private agricultural lands in the 8 counties and make recommendations for funding to the legislature. The law is repealed January 2, 2025, and is effective upon passage by the legislature. The task force must submit a report to the legislature by September 15, 2024.

***Next Steps: Establishment of the task force.***

**Energy-Related**

**State Energy Strategy -** [**HB 2534**](https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/HB2534)

Requires the Department of Energy (ODOE) to develop a comprehensive state energy strategy that optimizes pathways to achieving the state’s energy policy objectives. It will include state laws, policies, energy and green-house gas emissions, energy resource plans, data analysis, demands and trends, costs, efficiency, affordability of energy, economic and employment impacts, land uses, natural resources, and other related issues. ODOE shall incorporate stakeholder responses to the proposal. A report is due to the legislature by November 1, 2025.

***Next Steps: ODOE development of draft strategy.***

**Solar Siting by Local Government –** [**HB 3179**](https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/HB3179)

The legislation allows up to 240 acres for facility development on high-value farmland to allow for a county siting process for solar power (previously limited to 160 acres). On lands with class I-IV soil classifications, up to 2,500 acres may be used for siting. For lower soil classifications, the maximum acres would be 3,840. There is also an added provision that states a county commission may not discriminate against or favor a renewable energy facility. The legislation requires a decommissioning plan and restoration of the site if the facility becomes inoperable.

***Next Steps: Counties would need to establish their own procedures and those may already be in place for lower acreage numbers.***

**Other**

**“Christmas Tree” bill -** [**SB 5506**](https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/SB5506)

The Christmas Tree bill is a catchall at the end of the session for other general fund allocations. A few have relevance for districts:

* Section 71: $1.2 million for Mid-Columbia Morrow and Umatilla Drought Relief Aquifer Recharge and Aquifer Recovery Project
* Section 87: $1.5 million to the High Desert Partnership to allocate water in Harney County
* Section 185: $8.75 million for fish passage infrastructure to ODFW
* Section 226: $100,000 to Oregon Consensus (at PSU) for a tribal water work group
* Section 228: $50 million for irrigation district modernization projects (piping, etc.); to assist as a federal match

**Missed Opportunities**

A couple of our priorities did not make it to the finish line. These include:

* Healthy Soils Bill. A bill to provide resources to promote soil health garnered good support during the legislative session with little opposition. However, when it came time to fund the bill, it did not happen.
* Funding for the Oregon Agricultural Heritage Program (OAHP). The ask was $10M for this relatively new program that has been supported by OACD since its inception

For more information on the bills above, the Advocacy page of the OACD member portal contains testimony, reports and other background on the [2023 Legislative Session](https://oacdportal.specialdistrict.org/2023-legislative-session).