

ment. The notice shall include a request for comments on the draft proposed final order.

(3) Within 60 days after the public notice under subsection (2) of this section, any person interested in the draft proposed final order shall submit written comments to the team. A person who submits written comments under this subsection shall identify the provision of the draft proposed final order in question and specify why the person objects to or supports the provision. The team shall review the comments received and may revise the draft proposed final order. Unless the department receives a request under subsection (4) of this section, the team shall submit a proposed final order to the department within 30 days after the close of the period for public comment on the draft proposed final order.

(4) If the draft proposed final order prepared by the team under subsection (2) of this section proposes to deny the application for reauthorization of the water right, the applicant may request the department to process the application in accordance with ORS 543A.045 to 543A.055. The applicant shall submit a request under this subsection within the 60-day period allowed for public comment on the draft proposed final order.

(5) Unless the department receives a request under subsection (4) of this section, the department shall issue the proposed final order in accordance with the provisions of ORS 543A.120 to 543A.300.

(6) If the team determines that additional information is necessary to determine whether reauthorization of the state project will comply with ORS 543A.025, the applicant shall comply with the process established in ORS 543A.045 to 543A.055 and 543A.120 to 543A.300. [1997 c.449 §8]

**543A.045 Public scoping meeting.** (1) If the Hydroelectric Application Review Team finds additional information is necessary to complete the reauthorization process, the applicant, in conjunction with the team, shall convene a public scoping meeting.

(2) The applicant shall be responsible for conducting the public scoping meeting. The team, federal agencies, federally recognized Indian tribes and members of the public shall be invited to participate. The purpose of the public scoping meeting shall be to allow an opportunity for the participants to review the information available and to:

- (a) Discuss a proposed schedule for completion of the reauthorization process;
- (b) Discuss studies and additional information that may be needed; and
- (c) Identify other resources and other health and safety issues of the state that

must be considered in the reauthorization process.

(3) At the public scoping meeting, the team shall:

- (a) Explain to the public the process for reauthorizing the state project; and
- (b) Identify to the public the members of the team.

(4) Within 90 days after the public scoping meeting, the team shall publish notice of the availability of the plan for completing the review process, including a time schedule. The plan shall be developed by the Water Resources Department in consultation with the applicant. [1997 c.449 §9]

**543A.050 Application report.** In accordance with the schedule established pursuant to ORS 543A.045, and after conducting the studies and collecting the additional information identified at the public scoping meeting under ORS 543A.045, the applicant shall prepare an application report and file the report with the Hydroelectric Application Review Team. The application report shall include study results, proposed mitigation measures, applicable state statutes and rules and any necessary changes to the operation of the hydroelectric project required to comply with such statutes and rules. [1997 c.449 §10]

**543A.055 Hydroelectric Application Review Team review of application; draft proposed final order; public comment.** (1) The Hydroelectric Application Review Team shall review the application report prepared under ORS 543A.050 and prepare a draft proposed final order approving or denying the reauthorization of the water right. The draft proposed final order shall include the findings required for a proposed final order under ORS 543A.120. Upon completion of the draft proposed final order, the Water Resources Department shall give public notice of the draft proposed final order in the weekly notice published by the department. The notice shall include a request for comments on the draft proposed final order.

(2) Within 60 days after the public notice under subsection (1) of this section, any person interested in the draft proposed final order shall submit written comments to the team.

(3) Within 30 days after the close of the period for public comment on the draft proposed final order, the team shall make any revisions necessary in response to comments received and submit a proposed final order to the department.

(4) The department shall complete the reauthorization process in accordance with the provisions of ORS 543A.120 to 543A.300. [1997 c.449 §11]