

REVENUE: No revenue impact

FISCAL: No fiscal impact

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Action: Do Pass  
Vote: 4 - 0 - 1  
Yeas: L. George, Johnson, Morrisette, Verger  
Nays: 0  
Exc.: G. George  
Prepared By: Judith Callens, Administrator  
Meeting Dates: 4/3

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**WHAT THE MEASURE DOES:** Exempts wave energy projects generating five megawatts or less located in Oregon's territorial sea from provisions regulating hydroelectric projects if a license is not required under the Federal Power Act. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- University wave energy research and proposed testing
- Federal Energy Regulatory Commission; Federal Power Act authorities
- US Department of Interior, Minerals and Management Service authorities

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Generally, the Water Resources Department is the lead permitting authority over hydroelectric projects in the state, including wave energy projects. In that role, the Department coordinates resource issues with other state agencies as part of the process. HB 2925 exempts wave energy projects from that authority if the project is located in the state's territorial sea, generates five megawatts or less, and a license under the Federal Power Act is not required.

Federal jurisdiction is not asserted unless a project connects to and delivers electricity to the power grid. Currently, federal jurisdiction is yet to be determined since both the Federal Energy Regulatory Commission and the US Department of Interior are both claiming jurisdiction over the emerging wave energy technologies. HB 2925 will allow University research to continue by testing wave energy devices off the Oregon coast without connecting to the grid.