

Joint Committee on Ways and Means

Carrier – House: Rep. Jenson
Carrier – Senate: Sen. Walker

Revenue: No revenue impact

Fiscal: Fiscal statement issued

Action: Do Pass the A-Engrossed Measure

Vote: 16 – 5 – 1

House

Yeas: Buckley, D. Edwards, Galizio, Jenson, Komp, Kotek, Nathanson, Shields, G. Smith

Nays: Garrard, Gilman, Richardson

Exc:

Senate

Yeas: Carter, Johnson, Monroe, Nelson, Verger, Walker, Winters

Nays: Girod, Whitsett

Exc: Bates

Prepared By: Dawn Farr, Legislative Fiscal Office

Meeting Date: May 29, 2009

WHAT THE MEASURE DOES: Deletes existing exemptions from fees for 401 certification applications for certain activities. Directs the Environmental Quality Commission (EQC) to establish schedule of fees for 401 certification based on specified criteria. Directs EQC to establish procedures for applicant to seek review of determination of fee by the Department of Environmental Quality.

ISSUES DISCUSSED:

- Overview of policy committee discussions
- Fees structure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Under section 401 of the federal Clean Water Act, any project requiring a federal license or permit to conduct an activity that may lead to a discharge to waters of the United States must receive a water quality certification. In Oregon, the Department of Environmental Quality is responsible for certifying that projects will be conducted consistent with water quality standards.