

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2437 - A6

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Authorizes maintenance activities in dry, traditionally maintained channels to be conducted without removal or fill permit subject to certain conditions.

Government Unit(s) Affected:

Department of Fish and Wildlife (ODFW), Higher Education Coordinating Commission (HECC), Public Universities, Department of State Lands (DSL), Oregon Department of Agriculture (ODA)

Summary of Fiscal Impact:

Costs related to the measure will require budgetary action - See analysis.

Summary of Expenditure Impact:

	2019-21 Biennium	2021-23 Biennium
ODA - General Fund	251,043	218,334
ODFW - General Fund	202,433	227,211
HECC - General Fund	239,583	234,553
Total Funds	\$693,059	\$445,545
Positions	2	2
FTE	1.75	2.00

Summary of Revenue Impact:

No revenue loss is anticipated from the elimination of Department of State Lands permits associated with ORS 196.810 as the agency rarely, if ever, received applications for this activity.

Analysis:

The legislation has three separate General Fund appropriations in the 2019-21 biennium to the following state agencies: Department of Agriculture (ODA), Department of Fish and Wildlife (ODFW), and the Higher Education Coordinating Commission for distribution to the Oregon State University (OSU) College of Agricultural Sciences.

The bill provides exceptions to permitting by the Department of State Lands (DSL) for removal or fill activities for conducting maintenance of a traditionally maintained channel; a person must file a form notifying ODA of the maintenance activities. No later than five days after ODA receives this notice, a copy must be provided to ODFW and within thirty days after receiving notice, ODFW must provide a response to ODA which may include recommendations. In the event that ODA and ODFW recommendations do not align, DSL will make the final determination. ODA and ODFW are authorized to inspect the lands for which notices have been filed. The costs of activities by ODFW related to this legislation may not be charged to another state agency. Prior to the assessment of a civil penalty for violations of this law, ODA and DSL are directed to make reasonable efforts to induce voluntary compliance. ODA and DSL must work in coordination with county soil and water conservation districts to provide education on the requirements of this legislation. ODA, DSL and ODFW must conduct a biennial adaptive management review of the implementation of this legislation. The College of Agricultural Sciences of Oregon State University is directed to conduct study of the impacts of maintenance activities in

traditionally maintained channels and to submit the results of study to the Legislative Assembly, Department of State Lands, and State Department of Agriculture no later than January 1, 2025.

Department of Agriculture (ODA)

ODA requests one (0.88 FTE) Natural Resource Specialist 3 position to oversee the notification review process and conduct site visits for an estimated cost of \$155,193 in personal service costs and \$35,850 in services and supplies for a total of \$191,043 GF in the 2019-21 biennium. Additional one-time service and supply costs are estimated at \$60,000 in the 2019-21 biennium for development of memorandum of understanding by the Department of Justice, development of a database for tracking records, and the creation of outreach materials. Total position (1.00 FTE) costs for the 2021-23 biennium are estimated at \$218,334 GF.

Department of Fish and Wildlife (ODFW)

ODFW requests one (0.88 FTE) Natural Resource Specialist 3 position to oversee the notification review process and conduct site visits for an estimated cost of \$155,718 in personal service costs and \$46,715 in services and supplies for a total of \$202,433 GF in the 2019-21 biennium. Total position (1.00 FTE) costs for the 2021-23 biennium are estimated at \$227,211 GF.

Department of State Lands (DSL)

The fiscal impacts to DSL are anticipated to be minimal and absorbable within existing budgetary parameters as the agency has historically supported the program and no positions are being reduced as a result of this legislation.

Higher Education Coordinating Commission / Oregon State University (OSU), College of Agricultural Sciences

OSU College of Agricultural Sciences estimates that costs to conduct a five-year study will total \$652,421 GF over the next three biennia. Salary and other payroll expenses for an investigator, field research assistant, and a research technician are estimated to cost \$206,588 GF in the 2019-21 biennium and \$214,093 GF in the 2021-23 biennium. Services and supplies costs for travel to test sites and various supplies related to sampling and sample processing are estimated to total \$32,995 GF in the 2019-21 biennium and \$20,460 GF in the 2021-23 biennium. Accounting costs to the Higher Education Coordinating Commission associated with disbursing funds to OSU is anticipated to be minimal and absorbable within existing budgetary parameters.