



## Open Government Impact Statement

80th Oregon Legislative Assembly  
2019 Regular Session

## Measure: HB 2085 - A

Only impacts on Original or Engrossed  
Versions are Considered Official

---

Prepared by: Cameron D. Miles  
Date: 4/18/2019

---

### SUMMARY

Regulates construction and removal of dams.

Provides for Water Resources Department inspection of dams, appurtenant structures and related information.

Requires department to notify dam owner if inspection or analysis finds department concludes that dam having significant hazard rating or high hazard rating, or appurtenant structure to dam, has condition allegedly rendering dam unsafe or potentially unsafe. Requires informing dam owner of maintenance action need disclosed by inspection. Establishes processes for stimulating dam owner response, cooperative development of corrective action plan or use of proposed or final order to ensure corrective action or maintenance action by dam owner.

Sets forth department, Water Resources Commission and Water Resources Director enforcement authority regarding dams.

Allows inspection request by person residing near dam. Assigns responsibility for cost of requested inspection.

Requires dam owner to supply department with certain contact information if dam lacks emergency action plan. Requires dam owner to periodically review and evaluate condition of dam. Establishes duties of dam owner regarding emergency planning and emergency response. Establishes department authority regarding dam emergency planning action plan and emergency response exercises at dam having high hazard rating.

Allows department to inspect, evaluate and access additional forms of hydraulic structure with permission of owner. Allows department to provide recommendations, technical assistance, advice and emergency plan assistance regarding hydraulic structure.

Authorizes commission director to impose civil penalty for certain violations under dam regulation program, not to exceed \$5,000 per occurrence. Authorizes director to impose civil penalty for violation of certain orders related to dam regulatory program, not to exceed \$5,000 per day per month.

Makes violation of certain director or appellate court orders misdemeanor punishable by maximum of six months' incarceration, \$2,500 fine, or both.

Becomes operative July 1, 2020.

Dexter A. Johnson  
LEGISLATIVE COUNSEL



900 COURT ST NE S10  
SALEM, OREGON 97301-4065  
(503) 986-1243  
FAX: (503) 373-1043  
[www.oregonlegislature.gov/lc](http://www.oregonlegislature.gov/lc)

Takes effect on 91st day following adjournment sine die.

## **NOTICE OF NO OPEN GOVERNMENT IMPACT**