

**FISCAL IMPACT OF PROPOSED LEGISLATION**

80th Oregon Legislative Assembly – 2020 Regular Session  
Legislative Fiscal Office

**Measure: HB 4091**

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

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Date: February 6, 2020

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**Measure Description:**

Establishes Sage-Grouse Mitigation Program In-Lieu Fee Fund.

**Government Unit(s) Affected:**

Department of Fish and Wildlife (ODFW)

**Summary of Fiscal Impact:**

Costs related to the measure are indeterminate at this time - See explanatory analysis.

**Analysis:**

HB 4091 creates the Sage-Grouse Mitigation Program In-Lieu Fee Fund, separate and distinct from the General Fund, and credits interest earned back to the fund. The fund is designed to include fees paid by developers in lieu of compensatory mitigation that developers must undertake if their projects impact sage-grouse habitat.

Moneys in the funds are appropriated to Oregon Department of Fish and Wildlife (ODFW) to restore, protect, enhance or increase habitat for sage grouse. Allowable uses of the account also include covering administrative costs, research and assessment, and insurance for sage-grouse habitat. These funds may also be invested in an intermediate-term investment pool, with earnings going back into the fund.

The fiscal impact is indeterminate as it is unclear at what point developers will decide to pay into this fund, and how much money will be flowing into the fund. ODFW anticipates that their existing Sage-Grouse Mitigation Coordinator will absorb the work of administering this fund and does not need any position authority or expenditure limitation at this time. Once developers do pay into the fund, ODFW plans to distribute fund moneys as grants to support sage-grouse habitat. ODFW may need to request additional expenditure limitation or position authority from the Legislature depending on how many developers choose to make payments to the Sage-Grouse Mitigation Program In-Lieu Fee Fund.

This bill is referred to the Joint Committee on Ways and Means by prior reference.