

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3097 - A

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

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Measure Description:

Provides that municipal corporation or people's utility district may apply for certificate to use water for hydroelectric purposes within artificial delivery system even if municipal corporation or people's utility district is not holder of underlying water right, with permission of holder of underlying water right.

Government Unit(s) Affected:

Department of Energy, Cities, Counties, Department of Fish and Wildlife, Special Districts Association of Oregon, Water Resources Department

Summary of Fiscal Impact:

Costs related to the measure are anticipated to be minimal - See explanatory analysis.

Analysis:

HB 3097 - A permits a municipal corporation or people’s utility district to apply to the Water Resources Department (WRD) for a certificate to use water for hydroelectric purposes within a piped conduit in an artificial delivery system that is delivering water for municipal uses, even if the municipal corporation or people’s utility district does not hold the municipal water right. The holder of the municipal water right must provide a written statement authorizing this use.

There is minimal fiscal impact for WRD as a result of this measure, as any increases in applications for hydroelectric certificates is anticipated to be absorbable using existing resources. Because every application for a hydroelectric certificate must be accompanied by an application processing fee of \$500, an increase in applications under this measure could lead to increased fee revenue for WRD, though the amount of the revenue increase is indeterminate at this time and anticipated to be minimal.

Under certain circumstances, hydroelectric certificate holders must also pay an annual fee which is deposited into the Oregon Department of Fish and Wildlife (ODFW) Fish Passage Restoration Subaccount within the Fish Passage Fund. An increase in certificates under this measure could lead to increased fee revenue for ODFW, though the amount of the revenue increase is indeterminate at this time, and anticipated to be minimal.

There is no or minimal fiscal impact for Cities, Counties, Special Districts, and Oregon Department of Energy.