

HB 2610 STAFF MEASURE SUMMARY

House Committee On Agriculture and Natural Resources

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Sub-Referral To: House Committee On Water

Meeting Dates: 3/30

WHAT THE MEASURE DOES:

Allows a person owning or operating an artificial obstruction in Oregon waters to petition Oregon Fish and Wildlife Commission (Commission) to waive fish passage requirement. Authorizes the Commission to waive fish passage requirement if it determines that: 1) the artificial obstruction will be repaired or replaced and is less than eight feet tall; or 2) the artificial obstruction is a dam that provides hydropower, drinking water, or water for irrigation use; the artificial obstruction creates fish habitat; and providing for fish passage would increase the cost of a project by more than 10 percent. Removes the requirement for the Commission to periodically review and determine the renewal of exemption for artificial obstructions that do not have exemption expiration date. Removes Commission's authority to revoke or amend exemption upon finding that relevant requirements for exemption no longer apply.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law (ORS 509.585) requires providing for fish passage in all waters of the state in which native migratory fish are currently or have historically been present otherwise exempted from the requirement in the statute.

House Bill 2610 would allow the Oregon Fish and Wildlife Commission to waive the fish passage requirement if it determines that 1) the artificial obstruction will be repaired or replaced and is less than eight feet tall; or 2) the artificial obstruction is a dam that provides hydropower, drinking water, or water for irrigation use; the artificial obstruction creates fish habitat; and providing for fish passage would increase the cost of a project by more than 10 percent.