

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: HB 3016 - 2**

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

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Date: 3/14/2023

Measure Description:

Establishes Community Green Infrastructure Grant Program.

Government Unit(s) Affected:

Department of Agriculture, Task Force/Committee/Workgroup, Bureau of Labor and Industries, Department of Land Conservation and Development, Cities, Counties, Department of Environmental Quality, Department of Transportation, Oregon Business Development Department, Oregon Health Authority, Burns Paiute Tribe, Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Confederated Tribes of Grand Ronde, Department of Forestry, Confederated Tribes of Siletz, Klamath Tribes, Department of Justice, Confederated Tribes of Umatilla Indian Reservation, Parks and Recreation Department, Coquille Indian Tribe, Cow Creek Band of Umpqua Indians, School Districts, Oregon Watershed Enhancement Board, Confederated Tribes of Warm Springs, Special Districts Association of Oregon

Summary of Fiscal Impact:

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

Analysis:

The measure establishes the Community Green Infrastructure Grant Program which is to be administered by the Department of Land Conservation and Development (DLCD) for the purpose of awarding grants to offset the cost of planning and developing community green infrastructure projects or green infrastructure economic development projects, developing and supporting native seed banks or native plant nurseries, and for implementing green infrastructure master plans.

The measure requires DLCD to enter into an intergovernmental agreement with the Oregon Department of Forestry (ODF) for assistance with the design and implementation of the program, acquiring and administering federal funding related to green infrastructure projects, or technical advice or feedback on the grant review process. In addition, the measure requires DLCD to enter into an intergovernmental agreement with the Oregon Department of Transportation (ODOT) for technical advice concerning state transportation facilities and rights of way as they relate to the design and implementation of the program, acquiring and administering federal funding related to green infrastructure projects, and technical advice or feedback on the grant review process.

The measure requires DLCD to review applications, award grants to eligible entities, and appoint an Advisory Committee on Community Green Infrastructure Investments to provide discussion on the implementation of the grant program. No later than September 15 of each even-numbered year, the advisory committee is to submit a report on the implementation on the program to the appropriate interim committees of the Legislative Assembly.

The measure establishes the Community Green Infrastructure Fund with moneys in the fund continuously appropriated to DLCD to award grants, with 30% of awarded grants for planning and developing green infrastructure economic development projects, 40% of awarded grants for entities or projects located in green infrastructure improvement zones, and 30% of awarded grants for entities or projects in tribal, rural, remote, or coastal communities.

In addition, the measure requires ODF to acquire and maintain a statewide urban tree canopy assessment tool that provides geospatial mapping and make it available on a website maintained by the department. Lastly, the measure requires ODF to develop and implement a program to provide technical and financial assistance to public bodies, tribal governments, watershed councils, and community-based organizations for planning, responding to, and recovering damage to habitats and urban tree canopies due to pests, diseases or other natural or human-created conditions that lead to loss of tree canopy.

The measure declares an emergency and is effective upon passage.

The Legislative Fiscal Office (LFO) notes that the measure establishes a program for awarding grants for which the revenue source has yet to be identified. In addition to requiring DLCD to dedicate staff and resources to the program, the measure does not appropriate any funding to award grants; therefore, the agency may need General Fund to fulfill the requirements of the measure.

Department of Land Conservation and Development

The fiscal impact for DLCD is indeterminate at this time. The agency may need additional staff to administer this grant program, but LFO notes that due to the measure being silent on how much funding the grant program will receive, DLCD cannot anticipate how many additional positions the agency will need and, depending on the size of the grant program, the work could be absorbed within current resources.

Department of Forestry

ODF anticipates the fiscal impact of the measure is \$516,248 General Fund for two positions (1.75 FTE) and associated costs for the development and implementation of the technical and financial assistance program in the 2023-25 biennium and \$486,724 for two positions (2.00 FTE) and associated costs for the 2025-27 biennium. LFO notes that the General Fund request includes \$90,000 of Special Payments that will be transferred to ODF Motor Pool for purchase of two vehicles.

ODF reports that the two positions are Natural Resource Specialist (NRS) 3 positions which will increase capacity for community assistance activities and provide program coordination, work with tribal governments and provide outreach and technical assistance to the federally recognized tribes in Oregon, and will help define and identify the specific locations for increased green infrastructure. ODF notes that the agency will provide a vehicle to each position for in-state travel to meet the requirements of the measure. Although the measure requires that the program include financial assistance as well as technical assistance, that financial assistance is not defined by the measure, nor is the amount or source of that funding identified.

ODF reports that the funding for the initial purchase, setup, and refinement of the urban tree canopy assessment tool can be absorbed within existing efforts surrounding environmental equity mapping which is funded through a federal USFS grant. LFO notes that federal funding is allocated on an annual basis and may not be available in perpetuity.

Department of Transportation

ODOT may need to conduct feasibility studies for projects and applications submitted for grants within ODOT's jurisdiction. In addition, coordinating with rights of way personnel, engineers, environmental specialists, and review of project information for sufficiency standards would result in an estimated fiscal impact to ODOT, consisting of one permanent Operations and Policy Analyst 2 position (0.88 FTE in the 2023-25 biennium, and 1.00 FTE for 2025-27), supported with State Highway Funds. The estimated cost for the 2023-25 biennium is \$195,428 Other Funds, and \$223,346 Other for the 2025-27 biennium.

There is a minimal fiscal impact for the Department of Environmental Quality, Oregon Watershed Enhancement Board, Department of Agriculture, Department of Justice, Burns Paiute Tribe, Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz, Klamath Tribes,

Confederated Tribes of Umatilla Indian Reservation, Coquille Indian Tribe, Cow Creek Band of Umpqua Indians, Confederated Tribes of Warm Springs, school districts and counties.

There is no fiscal impact for the Parks and Recreation Department, Oregon Health Authority, Oregon Business Development Department, Bureau of Labor and Industries, or cities.

LFO believes that this measure may have a fiscal impact on the Special Districts Association of Oregon. LFO requested, but has not received, fiscal impact information from the Association. In absence of this information, the fiscal impact to the Association is indeterminate. If fiscal impact information is provided by the Association, LFO will issue a revised fiscal impact statement.

This measure has a subsequent referral to the Joint Committee on Ways and Means for consideration of its budgetary impact on the State's General Fund.