

**FISCAL IMPACT OF PROPOSED LEGISLATION**

Measure: HB 2647 - 2

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

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

Prepared by: Haylee Morse-Miller  
 Reviewed by: April McDonald, Matt Stayner, Steve Robbins  
 Date: March 13, 2023

**Measure Description:**

Declares harmful algal blooms to be menace to public health and welfare.

**Government Unit(s) Affected:**

Oregon Health Authority, Department of Environmental Quality, Water Resources Department

**Summary of Fiscal Impact:**

Costs related to the measure may require budgetary action - See analysis.

**Summary of Expenditure Impact:**

	<b>2023-25 Biennium</b>	<b>2025-27 Biennium</b>
<b>Department of Environmental Quality</b>		
<b>General Fund</b>		
Personal Services	\$212,207	\$289,758
Services and Supplies	\$164,563	\$179,000
<b>Total General Fund</b>	<b>\$376,770</b>	<b>\$468,758</b>
<i>Total Funds</i>	<i>\$376,770</i>	<i>\$468,758</i>
<i>Positions</i>	<i>2</i>	<i>2</i>
<i>FTE</i>	<i>1.13</i>	<i>1.50</i>
<b>Oregon Health Authority</b>		
<b>General Fund</b>		
Personal Services	\$160,629	\$214,173
Services and Supplies	\$28,035	\$23,936
<b>Total General Fund</b>	<b>\$188,664</b>	<b>\$238,109</b>
<i>Total Funds</i>	<i>\$188,664</i>	<i>\$238,109</i>
<i>Positions</i>	<i>1</i>	<i>1</i>
<i>FTE</i>	<i>0.75</i>	<i>1.00</i>
<b>Total General Fund</b>	<b>\$565,434</b>	<b>\$706,867</b>
<b>Total Fiscal Impact</b>	<b>\$565,434</b>	<b>\$706,867</b>
<i>Total Positions</i>	<i>3</i>	<i>3</i>
<i>Total FTE</i>	<i>1.88</i>	<i>2.50</i>

**Analysis:**

HB 2647 - 2 directs the Oregon Health Authority (OHA), in coordination with the Department of Environmental Quality (DEQ), to:

- Determine and identify drinking water sources that are susceptible to harmful algal blooms (HABs) or that are downstream of or influenced by water bodies that are susceptible to HABs.
- Develop a system for the regular monitoring and testing of these drinking water sources.
- Prioritize monitoring of sources of drinking water and bodies of water accessed for recreational use.
- Develop a protocol for issuing hazard advisory alerts to the public in the occurrence of a HAB.

DEQ, in coordination with OHA, is directed to:

- Develop and maintain a coordinated state agency HAB monitoring and response strategy.
- Develop a system for the regular monitoring and testing of water bodies determined to be susceptible to HABs or that are downstream of or influenced by water bodies that are susceptible to HABs.
- Produce timely and high-quality data that allows OHA to determine the level of risk of harm or injury to public health by the occurrence of HABs.
- Maintain a publicly accessible clearinghouse or database of water quality samples collected to characterize freshwater HABs.
- Identify sources of pollutants that contribute to the occurrences of HABs.
- Develop and implement strategies for reducing pollutants that contribute to the occurrences, frequency, and severity of HABs, and monitor and evaluate the effectiveness of these strategies.

As part of the state agency HAB monitoring and response strategy, DEQ is to make efforts to determine the causes of HABs and to identify any point sources or nonpoint sources that contribute to the susceptibility of specific bodies of water to HABs; and is to work to develop pollution reduction plans. This measure takes effect January 1, 2024.

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

#### Department of Environmental Quality

The Department of Environmental Quality (DEQ) notes that this measure is generally consistent with existing regulatory authorities and current work around HABs, but that additional resources would likely be needed for HAB monitoring and analysis of specific bodies of water, and development of management strategies.

To do this work, DEQ estimates costs totaling \$376,770 General Fund in the 2023-25 biennium, and \$468,758 General Fund in the 2025-27 biennium. This includes:

- One permanent, full-time Natural Resource Specialist 3 (0.63 FTE in 2023-25 and, 1.00 FTE in 2025-27) who would perform analysis and strategy development work, collect and analyze data, work with other agencies and stakeholders, and develop HAB management responses.
- One seasonal, full-time Natural Resource Specialist 1 (0.50 FTE in the 2023-25 and 2025-27 biennium) who would increase capacity to collect and process samples from source waters and recreational waterbodies.
- Additional funding for materials and supplies required to conduct additional qPCR sampling (molecular analyses of water samples to indicate the types and abundances of different cyanobacteria species in the water), estimated at \$120,000 based on an additional 250-300 water samples being processed annually. This would allow the agency to sample approximately 40 to 50 water bodies across the state to complement other forms of monitoring.

The 2023-25 Governor's Budget for DEQ includes Policy Option Package 126, which authorizes one Natural Resources Specialist 3 position that would perform duties comparable to those included in this fiscal impact statement.

#### Oregon Health Authority

The Oregon Health Authority (OHA) anticipates hiring one permanent, full-time Natural Resource Specialist 3 (0.75 FTE in 2023-25 and 1.00 FTE in 2025-27) to work on the monitoring and response strategy, public advisory alerts, and coordination of other activities under this measure. Total costs are estimated at \$188,664 General Fund in the 2023-25 biennium, and \$238,109 General Fund in the 2025-27 biennium.

#### Other agencies

There is minimal fiscal impact for the Water Resources Department.