

**FISCAL IMPACT OF PROPOSED LEGISLATION**

Measure: HB 3099 - 3

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: Matt Stayner, April McDonald, Kim To  
 Date: March 27, 2023

**Measure Description:**

Directs Portland State University and Oregon State University to study water management in Chewaucan River watershed.

**Government Unit(s) Affected:**

Water Resources Department, Higher Education Coordinating Commission, Department of Environmental Quality, Department of Fish and Wildlife

**Summary of Fiscal Impact:**

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

**Summary of Expenditure Impact:**

	2023-25 Biennium	2025-27 Biennium
<b>Higher Education Coordinating Commission</b>		
General Fund	\$570,000	\$0
<b>Total Funds</b>	<b>\$570,000</b>	<b>\$0</b>
Positions	0	0
FTE	0.00	0.00
<b>Oregon Department of Fish and Wildlife</b>		
General Fund	\$185,145	\$0
<b>Total Funds</b>	<b>\$185,145</b>	<b>\$0</b>
Positions	1	0
FTE	0.75	0.00
<b>Water Resources Department</b>		
General Fund	\$1,001,312	\$932,080
<b>Total Funds</b>	<b>\$1,001,312</b>	<b>\$932,080</b>
Positions	3	3
FTE	2.00	2.50
<b>Total Fiscal Impact</b>	<b>\$1,756,457</b>	<b>\$932,080</b>
<b>Total Positions</b>	<b>4</b>	<b>3</b>
<b>Total FTE</b>	<b>2.75</b>	<b>2.50</b>

**Analysis:**

HB 3099 - 3 directs the Oregon Consensus at Portland State University (PSU) and Oregon State University (OSU) to establish a collaborative process to develop a shared understanding of water management in the Chewaucan River watershed; and identify broadly supported actions related to the Chewaucan River watershed that will strive to meet water needs, address the ecological health of Lake Abert and the entire Chewaucan River watershed, and consider social, economic and environmental benefits and impacts. The process is to be guided by a governance agreement, and may not delay or preclude the activities of agencies or private landowners; or interfere with water appropriations for privately held surface and ground water rights to use water from the Chewaucan River watershed and the tributaries of the watershed. These portions of the measure are repealed

June 30, 2025. The measure appropriates \$420,000 General Fund to the Higher Education Coordinating Commission (HECC) for distribution to PSU to carry out this work and award as grants and stipends to participants in the collaborative process; and \$150,000 General Fund to HECC to distribute to OSU for this work.

The measure next directs the Oregon Department of Fish and Wildlife (ODFW) and the Water Resources Department (WRD) to undertake activities related to the Chewaucan River watershed and Lake Abert, including collecting data and performing technical analyses to improve understanding of water management, the hydrologic system, and fish and wildlife; developing a refined hydrologic analysis that assesses water inflows, water outflows and changes in water storage; and supporting collaborative processes and the resolution of complex issues related to water management. ODFW and WRD may contract for performance of activities described.

The measure takes effect on the 91st day after the Legislature adjourns sine die.

#### Higher Education Coordinating Commission

The Higher Education Coordinating Commission (HECC) would distribute funds appropriated under this measure to OSU and PSU. There is minimal fiscal impact for distribution of funds.

PSU would use the funds appropriated under this measure to support four positions in the 2023-25 biennium, including a Project Manager (0.25 FTE), Project Associate (0.30 FTE), Program Director (0.02 FTE) and an administrative support position (0.03 FTE), largely related to stakeholder facilitation work. In addition to the costs of these positions, \$220,000 would be used for a Senior Facilitator and participant stipends and expense reimbursements.

OSU would use the funds appropriated under this measure to support a Lead Professor specializing in transboundary water conflicts and conflict resolution (0.08 FTE), one Associate Professor (0.08 FTE) specializing in ecohydrology, watershed and riparian systems management, and two graduate students (totaling 0.49 FTE) to conduct research and collate data.

These positions are not included in the table above as the legislature does not authorize positions within universities.

#### Water Resources Department

WRD anticipates costs totaling \$1 million General Fund in the 2023-25 biennium, and \$932,080 General Fund in the 2025-27 biennium. The agency notes that staff and monitoring would be needed for six to 10 years. Major costs for WRD include:

- Setting up, maintaining, and staffing automatic agricultural weather stations sponsored by the US Bureau of Reclamation known as AgriMet sites at a total cost of \$527,400. Of this total, \$225,000 supports professional services contract payments from the Water Resources Department to the Bureau of Reclamation to support AgriMet staffing at the Bureau.
- Stream gauges, with an estimated cost of \$182,700.
- Establishing three new permanent positions at an estimated cost of \$445,885 in the 2023-25 biennium and \$555,749 in the 2025-27 biennium, including:
  - One full time Natural Resource Specialist 4 (Hydrologist)
  - One full time Natural Resource Specialist 3 (Hydrographer)
  - One part-time Natural Resource Specialist 4 (Community Engagement Coordinator)
- Other miscellaneous costs including contracting for review of final reports, and position-related services and supplies, etc.

Set up costs for the AgriMet sites (\$16,000) and stream gauges (\$133,000) would phase out for the 2025-27 biennium, as well as other contracting costs totaling \$29,500.

Oregon Department of Fish and Wildlife

ODFW would hire one full-time, limited duration Natural Resource Specialist 3 position (0.75 FTE in the 2023-25 biennium) at an estimated cost of \$185,145 General Fund, which includes \$155,145 for personal services and \$30,000 for position-related services and supplies. This position would review and conduct instream flow studies in the watershed, and conduct studies of Lake Abert related to fish and wildlife.

Department of Environmental Quality

There is minimal fiscal impact for the Department of Environmental Quality.

This measure warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of its budgetary impact.