

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 956 - 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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Measure Description:

Instructs Water Resources Commission to take certain actions related to Walla Walla Water 2050 Strategic Plan.

Government Unit(s) Affected:

Confederated Tribes of Umatilla Indian Reservation, Water Resources Department

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
Water Resources Department		
General Fund		
Personal Services	\$62,947	\$62,947
Services and Supplies	\$23,825	\$23,825
Total General Fund	\$86,772	\$86,772
Total Fiscal Impact	\$86,772	\$86,772
<i>Total Positions</i>	1	1
<i>Total FTE</i>	0.25	0.25

Analysis:

SB 956 - 2 directs the Water Resources Department (WRD) to collaborate with the Confederated Tribes of the Umatilla Indian Reservation and the State of Washington to implement and guide cooperative, bistate water management in the Walla Walla River Basin under the Walla Walla Water 2050 Strategic Plan; with advice from a Walla Walla River Basin advisory committee. The measure declares the intent that the state share in the costs to implement the Walla Walla Water 2050 Strategic Plan, and that at least one-half of the total costs of implementing the plan will be funded through federal, private, and other nonstate sources. The measure permits agencies to use funds for projects located in the State of Washington that are consistent with the objectives of the Walla Walla Water 2050 Strategic Plan.

WRD is to submit a report by June 30, 2025 to a committee or interim committee of the Legislative Assembly related to water that contains recommendations for a legal and regulatory framework to promote equitable allocation, distribution and management of developed water resources and water supplies resulting from projects undertaken under the Walla Walla Water 2050 Strategic Plan. WRD, in coordination with the Confederated Tribes of the Umatilla Indian Reservation and the State of Washington, is to report three times in 2024, and three times in 2025 before June 30, to the Walla Walla River Basin advisory committee on the development of the legal and regulatory framework. The measure takes effect January 1, 2024.

WRD estimates that one part-time Natural Resource Specialist 5 position (0.25 FTE in the 2023-25 and 2025-27 biennium) would be necessary to work on development of the framework, including working with stakeholders and providing required reports, at an estimated cost of \$86,772 General Fund each biennium. WRD notes that

additional position authority may be required for implementation of projects, policy, and funding recommendations.

There is no fiscal impact for the Confederated Tribes of Umatilla Indian Reservation.

The Legislative Fiscal Office (LFO) notes that language in the bill allows for “Agencies, as defined in ORS 183.310, in undertaking the agencies’ programs or using moneys appropriated by the Legislative Assembly, may, consistent with all other statutory limitations or direction concerning the agencies’ programs or use of the moneys, fund the study, design, engineering and construction of projects implementing the Walla Walla Water 2050 Strategic Plan that are located wholly or partially in the State of Washington” if these projects benefit in-stream, out-of-stream or ground water demands in Oregon, and are consistent with the objectives of the Walla Walla Water 2050 Strategic Plan. Limited initial discussions with state agencies that administer water programs indicate that both programmatic and grant monies from General Fund, Federal Funds and Other Funds sources could be used for this purpose. Use of certain specific funding would require further legal review; while certain statutes, as well as the state Constitution, could potentially limit use of Lottery Funds to projects based in Oregon. Further analysis is required to determine if state agency funding can be used for this purpose.

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