

HB 2803 A STAFF MEASURE SUMMARY

House Committee On Agriculture, Land Use, Natural Resources, and Water

Action Date: 04/09/25

Action: Do pass with amendments, rescind subsequent referral to Revenue, and be referred to Ways and Means. (Printed A-Eng.)

Vote: 9-0-0-0

Yeas: 9 - Boice, Hartman, Helm, Levy B, Marsh, McDonald, McLain, Owens, Scharf

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Anna Glueder, LPRO Analyst

Meeting Dates: 3/31, 4/9

WHAT THE MEASURE DOES:

The measure increases certain fees charged by the Oregon Department of Water Resources for water right transactions and dam safety.

Detailed Summary

Increases fees charged by the Oregon Water Resources Department (OWRD) for the following purposes:

- Examining water right permit applications
- Permits to appropriate or store water
- Filing and recording the assignment or partial assignment of a water right application, permit or license
- Copying records in the department, or having documents certified, blueprinted, or computer-generated
- Examining permanent and temporary water transfer applications, or obtaining a copy of the proposed final order and a final order for a water right application
- Modifying a certificate of registration
- Submitting a water right protest, requesting standing in a contested case hearing or participating in a requested case hearing
- Filing an application for extension of the time period during which a water right has to be perfected
- Limited licenses to use or store surface and groundwater
- Filing, examining, and certifying district maps
- Examining water storage applications, or applications for an allocation of conserved water
- Submitting a notice of intent to continue operation of a state project or use water for hydroelectric purposes
- Submitting a water management and conservation plan
- Examining new and renewal applications for in-stream water right leases
- Submitting a claim of beneficial use under a permit or transfer
- Submitting a request for a basin plan exemption
- Annual fees charged to dam owners based upon the dam's hazard rating
- Certain registration statements

Adds an additional fee tier for secondary water storage for hydroelectric projects. Declares an emergency, effective on passage. Applies retroactively, if Act becomes law after July 1, 2025, for fees charged for services provided on or after July 1, 2025.

ISSUES DISCUSSED:

- Previous fee increases for the Oregon Water Resources Department (OWRD)
- Scalability of fund increases
- Impact of funds from the American Rescue Plan Act on OWRD's budget
- Impact of fund increases on average user

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- Process of agency funding
- Proposed fee increases in relation to current inflation rates
- 2025-27 Governor's recommended budget
- Role of General Fund appropriations in agency budget

EFFECT OF AMENDMENT:

The amendment modifies water right transaction fees to a 50 percent increase while retaining proposed fee increases related to dam safety. It adds an additional fee tier for secondary water storage for hydroelectric projects and makes a technical fix specifying the applicability of certain beneficial use claim fees.

BACKGROUND:

In 2009, the legislature restructured many of the Oregon Department of Water Resources' water right fees. The department has since brought forward legislation to modify the water right transaction fee schedule every four years. Staff in both the Dam Safety and Water Right Transaction Division are partially supported by fees. The current fee schedule provides \$330k to support 0.95 FTE in the Dam Safety program and \$2.35 million to fund 14.93 FTE across the Water Right Services Division, the Groundwater Section, and Water Right Data Technicians.