

## Oregon Department of Fish and Wildlife

### Fish Passage Restoration Subaccount 2021 Report

ORS 543.760 and 543.765 provide for an expedited licensing process for new hydroelectric projects constructed on existing municipal, irrigation or other water delivery systems that already have certificated water rights. Certain requirements must be met in order to use Oregon's expedited water right application process to add new hydroelectric projects to existing infrastructure. Prior to 2013, in order to obtain approval under the expedited process, the holder had to construct, operate and maintain all fish screens, by-pass devices and fish passages as required by the Oregon Department of Fish and Wildlife (ODFW).

In 2013, the Oregon Legislature passed Senate Bill 837 (Chapter 674, Oregon Laws 2013), providing additional flexibility in addressing the fish passage requirements by establishing new provisions for in-conduit hydroelectric projects generating less than 15 megawatts. Under the new law, persons wishing to install in-conduit hydroelectric power using an existing water right could meet fish passage requirements by: (1) providing fish passage in accordance with an agreement with ODFW; (2) obtaining a waiver or exemption under ORS 509.585; or (3) paying annual fees into the Fish Passage Restoration Subaccount (restoration subaccount).

ORS 509.592 requires ODFW to report on the deposits and expenditures from this restoration subaccount. This account had a balance of \$1,900.35 on December 31, 2021. This is the entire revenue generated by this program. ODFW has not expended any funds from this account.