

A background image of a sunset over the ocean. The sun is on the left, low on the horizon, creating a bright glow and reflecting on the water. The sky is a mix of blue and orange, with some clouds. The water is dark blue with some ripples.

State of Oregon New Hydroelectric Projects

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Oregon Water Resources Department

ORS 543

Since February 26, 1931,
the State of Oregon has required
all water power projects for the
generation of electricity to be
constructed in conformity with
this statute.

Water Rights are issued by the state to set out the priorities and quantities of water allocated for specific purposes

- The first in time – first in right priority system has been in place since February 1909.
- In 1931, ORS 543 set out a process for authorizing hydroelectric projects.
- Water rights are authorized for major or minor privately owned projects for a period up to 50 years.
- Water rights that do not expire are issued to municipal corporations for hydroelectric projects under ORS 537.

Projects may be

Large

Or

Small

(Less than 100 THP)

Theoretical Horsepower

Maximum amount of water
claimed, in cubic feet per second,

*

the average total fall utilized,
in feet,
divided by 8.8

For Minor Hydroelectric Application
And Instruction Guide go to:

<http://www.wrd.state.or.us/>

Then choose: Water Rights

Then choose: water right application
forms

Consultation for Hydroelectric Projects

- Review Teams include:
 - Department of Environmental Quality (DEQ)
 - Department of Fish and Wildlife (ODFW)
 - Water Resources Department (WRD)
 - Other affected agencies
 - State Historic Preservation Office
 - Department of State Lands
 - Parks and Recreation
 - State Marine Board
 - Public Utility Commission
 - Department of Geology and Mineral Industries
 - Department of Energy

State Coordination


- ODFW 10j recommendations to FERC
- DEQ conditions of 401 Certification
- WRD findings of Proposed Order and conditions of Proposed Water Right

New Projects in the Pipeline

- Dorena Dam
- Applegate Dam
- Fall Creek Dam
- Mason Dam
- Rock Creek
- St. Laurent
- Columbia River
- 7 Ocean wave energy projects

Natural Resource Standards

(a) The anadromous salmon and steelhead resources of Oregon shall be preserved. The commission shall not approve activity that may result in mortality or injury to anadromous salmon and steelhead resources or loss of natural habitat of any anadromous salmon and steelhead resources except when an applicant proposes to modify an existing facility or project in such a manner that can be shown to restore, enhance or improve anadromous fish populations within that river system.

The background of the slide is a photograph of a bright blue sky and a calm blue body of water. A bright sun is visible on the left side, creating a shimmering reflection on the water's surface. The text is centered in the middle of the image.

No activity may be approved that results in a net loss of wild game fish or recreational opportunities.

Other Resource Standards

- Columbia River Basin Fish and Wildlife Program
- Water quality suitable for beneficial uses
- Fish and wildlife habitats
- Plant resources
- Land resources, Land Use
- Historic, cultural and archaeological resources
- Safety of structures and operations
- Economics and Need for Power

Consolidated Review

OWRD is required to issue an order on the potential for the proposed project to have cumulative impacts with other existing, approved, or proposed projects within the basin.

Presumption of potential for cumulative impacts

The presumption may be rebutted by showing the impacts of the proposed project are so small in extent, short-termed or localized that there is no reasonable likelihood of cumulative impacts.

Contested Case Hearing

A contested case hearing is conducted for projects greater than 100 THP on the public interest issues of the application.

The hearing may include a consolidated review of other proposed projects in the basin.

Benefits of the State Process

- Ongoing management of the state's water resources
- Forum for local water users and interest groups
- Coordination of comments and recommendations from Oregon's state agencies
- Can be accomplished in parallel with the FERC process using application and study documents prepared for FERC.