



# MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

*Rely on us.*

TO: Commissioners Barofsky, Schlossberg, Brown, Carlson, and Morris  
FROM: Jason Heuser, Public Policy and Government Affairs Program Manager  
DATE: January 24, 2025  
SUBJECT: February 2025 State Legislative Update  
OBJECTIVE: Information

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## **Issue**

EWEB monitors, influences, and strategically plans around legislative and regional policy issues.

## **Background**

The Board adopts general policy directives for advocacy on legislation and other public policy matters, which guide the work of EWEB's lobbying activities. When political considerations test the applicability of those directives, the General Manager makes a determination as to whether a fundamental shift in direction is required. The Board may be asked to reaffirm policy directives or direct staff to make necessary adjustments.

## **Discussion**

The Oregon Legislature convened on January 21 for the start of 2025 Oregon Legislative Session. Just a few days into the session there is little to report on the topics and recommendations included in the December Legislative Agenda and informational update correspondence. However, after initial review of 2500 bills introduced at the start of the session EWEB staff have identified the following additional bills for advocacy and/or monitoring. Several additional bills should be expected for inclusion in the March legislative update as new bills are introduced in the coming weeks and further staff review and analysis conducted on the multitude of bills already introduced.

### **SB 427 – Prohibition on water use changes that reduce streamflow – Oppose unless amended**

This bill would prohibit water transfers and other proposed changes related to the appropriation or use of water that will result in the diminishment of streamflow. This bill has not received a hearing and the intent of this bill is not well understood to water users. EWEB staff have identified impacts from the bill as currently drafted that could produce significant obstacles to EWEB's effort to successfully operate a future Willamette Water Treatment Plant and diversify Eugene's water supply. EWEB staff recommends opposing this legislation unless it can be amended to address these impacts.

### **SB 215 – State Nuclear Siting Moratorium Repeal -- Monitor**

This bill would repeal Oregon law enacted in 1981 that requires there to be a federal repository for radioactive waste to be disposed of before a nuclear power plant may be sited in Oregon. SB 215 differs from

previous bills introduced in past sessions in that it would also eliminate a requirement that the siting of any nuclear power plant be approved statewide by the voters of Oregon. However, if enacted by the legislature, SB 215 would have a requirement under the state constitution that the components of the bill would require one approval statewide by Oregon voters.

#### **SB 634 – Authorizes Legacy Hydropower to Qualify for Oregon RPS – Monitor**

On principle this bill makes sense in authorizing legacy hydropower (pre-1995) to qualify for the Oregon Renewable Portfolio Standard (RPS), hydropower is deserving of the same status as other clean energy sources. However, the Oregon RPS has numerous components that were negotiated and calibrated to work together in pursuit of specific statewide goals. Changes in the definition of qualifying renewable electricity in the RPS statute (ORS 469A) would necessitate consideration of other changes in the statute in order to keep intact the goals of the Oregon RPS. SB 634 though is only a standalone change to the qualifying electricity definition in the RPS without consideration for the other components of the Oregon RPS and could have unintended consequences.

#### **SB 635 – OSU Nuclear Study – Monitor**

This bill would direct Oregon State University (OSU) to conduct a feasibility study on nuclear energy generation in Oregon. OSU has a school of Nuclear Science and Engineering and is home to the TRIGA Reactor (OSTR), a water-cooled, Mark III research reactor with graphite shielded core, designed to provide intense radiation fluxes for research and isotope production. The reactor is licensed by the U.S. Nuclear Regulatory Commission.

#### **HB 2038 – ODOE Nuclear Study – Monitor**

This bill would require the Oregon Department of Energy to study nuclear energy, including nuclear waste disposal from nuclear energy.

#### **HB 2410 – Umatilla County Small Modular Nuclear Reactor Demonstration Project – Monitor**

This bill would allow the Oregon Energy Facility Siting Council (EFSC) to issue a site certificate for a small modular reactor energy facility demonstration project in Umatilla County, potentially as part of a microgrid. The bill would require that a site certificate be contingent on approval from Umatilla County voters. It is unclear whether HB 2410 would comport with Oregon's nuclear siting moratorium.

Note: HB 2410 has been initiated by the Umatilla County Board of Commissioners. Umatilla Electric Cooperative (UEC) reports that they are not involved in this effort at this time.

#### **HB 2566 – Community Renewable Energy Program eligibility for resiliency-only projects – Support**

The Oregon Community Renewable Energy Program was authorized in 2021 and has provided almost \$50 million in planning and/or construction grants to renewable energy and energy resiliency projects around Oregon outside of Portland (Portland has a local Renewable Energy grant program and was not included in the state program in order to distribute project funding across geography and demographics where need and challenges were greater). The scope of CREP was already expanded once since its inception to include more than renewable energy -- allowing standalone energy storage without generation -- HB 2566 would allow the Oregon Department of Energy to provide some funding to grid-resiliency projects that do not include a renewable generation or storage component. This additional flexibility would provide opportunities for a wider range of statewide use cases and meet differing local energy resiliency needs within Oregon

**HJM 10 – Resolution to Congress on role of Bonneville Power Administration – Neutral, Possible Informational Testimony.**

This bill would request the United States Department of Energy and the United States Congress to support the Bonneville Power Administration in providing cleaner, more affordable and more reliable energy to all consumers in the Pacific Northwest. The sponsor of this legislation is a Portland legislator -- 100 percent of his constituents are customers of Portland General Electric or Pacific Power. A joint memorial is an expression of an opinion from the state legislature that is shared with Congress and the Federal Executive Branch.

EWEB staff will be gathering more information on the intent of this bill – if deemed necessary to ensure legislators have good information and context on this topic, EWEB staff will plan to provide informational testimony about the Bonneville Power Administration, the Federal Northwest Power Act, and the purpose and history of the federal hydro system and preference rights for consumer-owned utilities in the region. Notably, the NW Power Act already includes provisions that require the federal hydro system to provide benefits to all electric ratepayers in the region.

**Recommendation/Requested Board Action**

These are informational updates, and no action is required at this time.