

HB 2813 -3 STAFF MEASURE SUMMARY

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

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 1/29, 3/3

WHAT THE MEASURE DOES:

The measure establishes the Harney Conservation Reserve Enhancement Program Match Fund (HCREPMF), appropriates \$500,000 from the General Fund for deposit into the fund and directs all money from the HCREPMF to be continuously appropriated to OWRD to provide the state contribution for water users in the Greater Harney Valley Groundwater Area of Concern who cancel ground water rights as part of enrollment in the federal Conservation Reserve Enhancement Program.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

Detailed Analysis

- Reduces the General Fund appropriation for technical services provided by the Oregon Water Resources Department (OWRD) by \$500,000.
- Establishes the Harney Conservation Reserve Enhancement Program Match Fund (HCREPMF)
- Directs all money from the HCREPMF to be continuously appropriated to OWRD to provide the state contribution for water users in the Greater Harney Valley Groundwater Area of Concern who cancel ground water rights as part of enrollment in the federal Conservation Reserve Enhancement Program.
- Appropriates \$500,000 from the General Fund for deposit in the HCREPMF and increases OWRD's expenditure limit for authorized expenditures of moneys deposited in the HCREPMF by \$500,000.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-3 The amendment renames the Harney Conservation Reserve Enhancement Program Match Fund to the Groundwater Conservation Reserve Enhancement Fund. It further broadens the purpose of fund moneys to provide the state contribution **to water users in areas in which the Oregon Water Resources Department (OWRD) is not allowing new groundwater rights for irrigation** as part of enrollment in the federal Conservation Reserve Enhancement Program. The amendment maintains the original intent of the appropriation to OWRD by modifying its use to provide the state contribution for water users who cancel ground water rights as part of enrollment in the **Harney Valley Groundwater** Conservation Reserve Enhancement Program.

BACKGROUND:

The Greater Harney Valley Area, primarily located in Harney County, includes both Malheur Lake and Harney Lake. In 2015, an initial analysis of groundwater levels and aquifer recharge suggested that annual groundwater use, and other discharges likely exceeded the area's annual recharge. The Oregon Water Resources Commission adopted a rule to limit pending and new applications for ground water uses in the Malheur Basin that went into effect on April 15, 2016. The Commission also established the Greater Harney Valley Groundwater Area of Concern (GWAC) to ensure that ground water in the area was appropriated within the limits of available water resources and to maintain reasonably stable ground water levels to protect existing water users.

The Conservation Reserve Enhancement Program (CREP) is a voluntary private national land conservation program. The Harney Valley Groundwater CREP is administered by the Oregon Water Resources Department and the U.S. Farm Services Agency. It provides incentives for eligible groundwater irrigators to reduce their consumptive use by voluntarily cancelling their groundwater right.