

HB 2988 -5 STAFF MEASURE SUMMARY

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

Prepared By: Anna Glueder, LPRO Analyst

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/12, 4/7

WHAT THE MEASURE DOES:

Requires the Oregon Water Resources Department (OWRD), in consultation with the Department of Environmental Quality (DEQ), the Oregon Health Authority (OHA), other state agencies and interested parties, to identify and reduce barriers to, as well as develop technical assistance resources for, expanding aquifer recharge (AR) and aquifer storage and recovery (ASR) in Oregon.

Detailed Summary

I. OWRD - responsibilities

- Identify and describe project types related to AR and ASR that can support water quality, water supply, use and habitat or ecosystem needs in Oregon.
- Identify regulatory and other barriers to expanding AR and ASR, identify regulatory changes needed to overcome these barriers, and develop a proposed schedule for implementing these regulatory changes to the extent they are under OWRD's jurisdiction.
- Identify successful environmentally protective approaches used by other states with strong AR and ASR programs that could be implemented in Oregon.
- Develop guidance related to technical assistance and other resources that can support permitting and the development of AR and ASR programs.

II. Reporting requirements

Requires OWRD to submit a report related to the promotion of AR and ASR containing the following elements to a water related interim committee of the Legislature by October 1, 2026:

- Recommended changes to, or creation of, rules, laws, and internal agency policies, guidance, and processes.
- Programmatic needs to remove barriers, enhance access to, and accelerate AR and ASR.
- Available and needed technical assistance resources and incentives to support the evaluation and implementation of AR and ASR.
- Resources needed by state agencies for effective implementation.
- Funding mechanisms that may support staffing needs for projects related to AR and ASR, including federal and state funding programs.

Sunsets the reporting requirement January 2, 2027.

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

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

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-5 Makes changes to OWRD's responsibilities regarding the expansion of aquifer recharge (AR) and aquifer storage and recovery (ASR) in Oregon, modifies the reporting requirement and changes the reporting deadline from October 1, 2026 to January 1, 2027.

Detailed Summary

I. Changes to OWRD's responsibilities

- Includes the **Oregon Department of Fish and Wildlife** in the named agencies identified to be consulted by the Oregon Water Resources Department.
- Includes projects that have the **potential to improve aquifer levels or aquifer quality over current baseline conditions** in the types of projects to be identified by OWRD.
- Changes OWRD's direction to identify regulatory impediments to expanding aquifer recharge (AR) and aquifer storage and recovery (ASR) in Oregon to identifying regulatory and other **improvements** to encourage such.
- Adds a requirement for OWRD to identify opportunities to **improve data, information, and modeling** requirements for limited license approvals related to AR and ASR

II. Changes to reporting requirements

- Changes the report subject to a report on how aquifer recharge and aquifer storage and recovery in Oregon may be promoted **in a manner that protects public health, ground water quality and ecosystems.**
- Changes the **reporting deadline** from October 1, 2026 to January 1, 2027.

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

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

BACKGROUND:

Aquifer recharge (AR) and aquifer storage and recovery (ASR) are processes—either natural or man-made—that involve moving water underground to replenish groundwater in aquifers for beneficial purposes. While AR and ASR are sometimes used interchangeably, they are distinct processes with different goals. AR focuses solely on replenishing aquifer water, whereas ASR is designed to store water for future retrieval and use. In Oregon, AR statutes were adopted in 1961 and provide a process for appropriating water when it is available and then storing it underground by injection through wells or infiltration at the land surface. AR projects have been operating in Oregon since 1976, with more than 3 billion gallons stored annually. ASR statutes, regulating the storage of water underground during times of low demand and recovery through wells during high demand periods, were enacted in 1995 through the passage of House Bill 3183.