

**HB 2813 A STAFF MEASURE SUMMARY**

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

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**Action Date:** 03/03/25

**Action:** Do pass with amendments and be referred to Ways and Means by prior reference.  
(Printed A-Eng.)

**Vote:** 8-0-1-0

**Yeas:** 8 - Boice, Helm, Levy B, Marsh, McDonald, McLain, Owens, Scharf

**Exc:** 1 - Hartman

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Anna Glueder, LPRO Analyst

**Meeting Dates:** 1/29, 3/3

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**WHAT THE MEASURE DOES:**

The measure establishes the Groundwater Conservation Reserve Enhancement Program Match Fund (Fund) and directs all money from the Fund to be continuously appropriated to the Oregon Water Resources Department (OWRD) to provide the state contribution to water users who cancel groundwater rights as part of enrollment in the federal Conservation Reserve Enhancement Program in areas in which OWRD is not allowing new groundwater rights for irrigation. It further appropriates \$500,000 from the General Fund to OWRD for deposit in the Fund to provide the state contribution for water users who cancel groundwater rights as part of enrollment in the Harney Valley Groundwater Conservation Reserve Enhancement Program. The measure declares an emergency and becomes effective on its passage.

**ISSUES DISCUSSED:**

- Intent of the measure to incentivize voluntary cancellations of groundwater rights
- Timeline and magnitude of federal fund contributions

**EFFECT OF AMENDMENT:**

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

**BACKGROUND:**

In 2015, an initial analysis of groundwater levels and aquifer recharge suggested that annual groundwater usage and other discharges for the Greater Harney Valley Area (which is located primarily in Harney County and includes both Malheur Lake and Harney Lake) likely exceed the area's annual recharge.

In response, the Oregon Water Resources Commission adopted a rule to limit pending and new applications for groundwater uses in the Malheur Basin (which went into effect on April 15, 2016). The Commission also established the Greater Harney Valley Groundwater Area of Concern (GWAC) to ensure that groundwater in the area was appropriated within the limits of available water resources and to maintain reasonably stable groundwater levels to protect existing water users.

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