

HB 2169 A STAFF MEASURE SUMMARY

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

Action Date: 03/19/25

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

Vote: 9-0-0-0

Yeas: 9 - Boice, Hartman, Helm, Levy B, Marsh, McDonald, McLain, Owens, Scharf

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 2/10, 3/19

WHAT THE MEASURE DOES:

The measure requires the Oregon Department of Environmental Quality to establish an Interagency Water Reuse Development Team that includes the Oregon Water Resources Department, the Oregon Health Authority, the Oregon Department of Agriculture, and the Oregon Department of Fish and Wildlife to encourage and expand water reuse in Oregon.

Detailed Summary

Declares the intent of the Legislative Assembly to encourage and expand water reuse in Oregon and declares as state policy that executive agencies work together to encourage and expand opportunities for water reuse by reducing barriers and funding constraints and improving water reuse related policies and internal operations. Directs the Oregon Department of Environmental Quality (DEQ) to establish an Interagency Water Reuse Development Team (Team) that includes the Oregon Water Resources Department, the Oregon Health Authority, the Oregon Department of Agriculture, and the Oregon Department of Fish and Wildlife. Authorizes DEQ to enter into interagency agreements to support the participation of other agencies on the Team. Specifies that the Water Reuse Development Team must carry out assigned tasks in consultation with municipal wastewater utilities, industry stakeholders, and other interested parties. Specifies that all actions regarding water reuse must be done in a manner that protects public health and the environment. Requires DEQ to submit a progress report to the Legislative Assembly by December 15 of each odd-numbered year. Sunsets the reporting requirement on January 2, 2032.

Requires the team to do the following:

- Provide training and education to state agency staff on the benefits and drivers of water reuse projects and Oregon’s policy to encourage and expand opportunities for water reuse.
- Identify and address internal barriers and information needs within agencies, identify changes needed to overcome these barriers, and work towards improving interagency collaboration.
- Identify conflicts between agencies that must be resolved to expand water reuse in Oregon and work toward their resolution.
- Ensure information and agency contacts regarding water reuse are current and accessible and that, for each involved agency, responses to water reuse related information requests from individuals or other government agencies are consistent and timely.
- Evaluate successful environmentally protective approaches used by other states’ water reuse programs that could be implemented in Oregon.
- Develop technical assistance guidance, or other resources for local governments, industries, and nongovernmental organizations seeking water reuse program development and associated permitting.

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- Establish goals and performance metrics on water reuse development in Oregon.

Declares an emergency, effective July 1, 2025.

ISSUES DISCUSSED:

- Importance of water reuse in Oregon
- Effects of the Act on ongoing work at Port of Morrow
- How the measure is a continuation of work started through the passage of House Bill 2010 (2023)

EFFECT OF AMENDMENT:

The amendment clarifies agency roles in regard to the Water Reuse Development Team (Team); modifies, clarifies, and adds certain team responsibilities; and adds a reporting requirement for the Department of Environmental Quality. The amendment also adds an emergency clause and changes the effective date to July 1, 2025.

Detailed Summary

- **Modifies agency roles** by establishing the Department of Environmental Quality (DEQ) as the lead agency to establish a Water Reuse Development Team (Team) that includes the Oregon Water Resources Department, the Oregon Health Authority, the Oregon Department of Agriculture, and the Oregon Department of Fish and Wildlife.
- Specifies that all actions regarding water reuse must be done in a manner that **protects public health and the environment**.
- Authorizes DEQ to enter into interagency agreements to support the participation of other agencies in the Team.
- Specifies that the Water Reuse Development Team must carry out assigned tasks **in consultation with** municipal wastewater utilities, industry stakeholders, and other interested parties.
- **Broadens the recipients of the Team's training requirement** to include potential reuse project applicants and the public.
- Specifies that the Team must not only identify internal barriers, information gaps, and interagency conflicts to encourage and support the expansion of water reuse in Oregon, but also **address** them.
- Requires the Team to **evaluate successful environmentally protective approaches** used by other states' water reuse programs that could be implemented in Oregon.
- Clarifies language related to identifying and reducing barriers to water reuse in Oregon and adds a requirement for the Team to work towards improving interagency collaboration.
- Specifies that information and agency contacts regarding water reuse are current and accessible **to the public**.
- **Adds the following requirements** for the Team: (1) develop technical assistance guidance, or other resources for local governments, industries, and nongovernmental organizations seeking water reuse program development and associated permitting and (2) establish goals and performance metrics on water reuse development in Oregon.
- **Adds a reporting requirement** for DEQ regarding the progress made toward achieving the established water reuse goals.
- Sunsets the reporting requirement on January 2, 2032.
- Declares an emergency and changes the effective date to July 1, 2025.

BACKGROUND:

Water reuse refers to water systems designed with the goal of beneficially reusing a recycled water supply. Requirements to align recycled water use with public health considerations are defined by rule ([OAR 340-055-0012](#)) and implemented by the Department of Environmental Quality in coordination with the Oregon Water Resources Department and the Department of Human Services Health Service Division. Under these rules, wastewater treatment plants are required to develop comprehensive site- and facility- specific water reuse management plans. Oregon enacted its first water reuse policy in 1990 and, since then, water reuse programs have been established throughout the state.