

HB 2988 A STAFF MEASURE SUMMARY

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

Action Date: 04/07/25

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: 2/12, 4/7

WHAT THE MEASURE DOES:

The measure requires the Oregon Water Resources Department (OWRD), in consultation with the Department of Environmental Quality (DEQ), the Oregon Department of Fish and Wildlife (ODFW), 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 or projects that have the **potential to improve aquifer levels or aquifer quality over current baseline conditions**.
- Identify regulatory and other improvements to encourage the expansion of AR and ASR and issuing timely decisions.
- Identify opportunities to improve data, information, and modeling requirements for limited license approvals related to AR and ASR testing.
- 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 on how AR and ASR in Oregon may be promoted in a manner that protects public health, ground water quality, and ecosystems. Report to be submitted to a water related legislative interim committee by January 1, 2027, and address:

- 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.

ISSUES DISCUSSED:

- History of aquifer recharge in Oregon

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- Aquifer storage and recovery in the City of Beaverton
- Importance of the program protecting human health and the environment
- Significance of natural aquifer under the Cascade mountains
- Recent approval rates of aquifer recharge projects in Oregon
- Importance of identifying barriers to aquifer recharge and aquifer storage and recovery
- Possible direction of future discussions and amendments

EFFECT OF AMENDMENT:

The amendment makes changes to the Oregon Water Resources Department's (OWRD) 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 agencies identified to be consulted by OWRD.
- 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 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.

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.