

# Testimony for House Bill 2813

## House Committee on Agriculture, Land Use, Natural Resources and Water

Co-Chair Ken Helm Co-Chair Mark Owens

Submitted by: Ken Bierly 1/29/2025

Thank you for the opportunity to testify in support of House Bill 2813, which makes a technical adjustment to the Harney Valley Conservation Reserve Enhancement Program.

### Background

I have been assisting in the development of a community-based integrated water resource plan for the Harney Basin. The planners were aware of the significant over allocation of permitted groundwater development for irrigated agriculture. Recognizing that the Harney Basin is not the only area in the western U.S. that has overallocated groundwater, I looked at efforts in the Ogallala Aquifer in Colorado, Nebraska and Kansas, The Rio Grande Aquifer in Colorado and the East Snake River Pains Aquifer in Idaho. In each area the communities involved partnered with the USDA Farm Service Agency to develop a program to reduce groundwater pumping using the Conservation Reserve Enhancement Program.

Working with the irrigators, agencies, and interested parties, we developed a Conservation Reserve Enhancement Program focusing on Groundwater in the Harney Basin. We developed a voluntary program that would pay landowners to cease irrigation, pay for them to voluntarily cancel their water rights and provide incentive payments for ceasing pumping that could affect groundwater dependent ecosystems. The program also provides cost share funding to abandon the well if the landowner chooses to do so. Landowners can also choose to convert their irrigation well to a stock water well.

Landowners that are eligible enter into a 15-year contract for annual payments and a contract with Oregon to pay for the voluntary cancellation of the water right and payment for other incentives. In 2021, the Oregon Legislature provided \$500,000 for match for state payments and funded a position within OWRD to administer the program. Like many things these days it took much longer to work with the federal government than anticipated. HB 2813 is intended as a technical change to allow the unspent general fund allocation to roll into an "other funds" account at the end of each biennium. This adjustment will allow Oregon to manage the program as enrollment in the program increases.

The Bill could be broadened to include any future program to be developed where the savings of groundwater could be protected by closing the basin or other means. If it is broadened beyond the Harney Basin it could be used in other areas where groundwater over use is affecting surface water or other groundwater users.

Thank you for the opportunity to provide written support for HB 2813.