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Oregon Water Partnership Praises Science-Based Proposal to Modernize State's Groundwater Allocation Rules

As groundwater depletion has become a crisis throughout Oregon and the U.S., the Oregon Water Resources Department has developed science-based rules to put Oregon on a path of sustainably managing groundwater.

Salem, Oregon — The Oregon Water Resources Department (OWRD) is on the verge of finalizing new, science-based rules for groundwater permitting that will finally align the state's groundwater allocation rules with mandates set out in Oregon's landmark 1955 Groundwater Act. These rules are critical for ensuring the sustainable use and future reliability of water to support Oregon's communities and wildlife.

The rules come after a robust, year-long stakeholder engagement process, preceded by years of advocacy by environmental organizations, water advocates, and domestic well owners calling on the state to do a better job of managing Oregon's critically important groundwater resources. The Oregon Water Partnership supports the Department's work to date because it is science-based, focused on sustainability, aligns with Oregon's Groundwater Act, and protects senior water rights.

While the nearly 70-year-old groundwater act requires state regulators to identify and preserve "reasonably stable" levels of groundwater in aquifers, officials have never established a metric defining exactly what qualifies as "reasonably stable." As a result, OWRD has permitted groundwater pumping that has caused groundwater levels to decline in some areas by more than 100 feet. Oregon has also issued groundwater permits for groundwater wells without determining how much water may be available in a particular area, or addressing the long-term impact of those wells on springs, river flows, local water tables, or domestic wells.

“The state has historically allocated groundwater rights without knowing whether water was really available,” said Zach Freed, Sustainable Water Program Director for The Nature Conservancy in Oregon. “The proposed rules will follow the precautionary principle to the benefit of all Oregonians in a warmer future with more frequent drought.”

In Harney County, a proliferation of groundwater wells in recent decades has resulted in more water being pumped than can be replenished by natural processes — creating an annual overdraft of over 100,000 acre-feet. Existing domestic and stock wells are going dry, and long-term residents are concerned about their future in the face of water shortages resulting from unsustainable groundwater withdrawals.

“Ensuring that existing domestic wells are protected from the impacts of unsustainable groundwater use is essential to safeguarding the health and welfare of rural residents as well as preserving the viability and vitality of Oregon’s rural communities,” said Karen Lewotsky, Water Policy and Rural Partnerships Director for the Oregon Environmental Council.

Under the OWRD’s proposed changes, the state will apply standards to new groundwater permit applications to ensure that groundwater levels remain reasonably stable, as required by the law. The state will also begin to fully account for how proposed wells would impact surface water flows and the senior surface water users and instream water rights that depend on those flows.

In a climate quickly becoming hotter and drier, it is imperative these new rules be implemented to ensure that surface water flows are not further harmed, impacts to domestic well owners are controlled, and communities can continue to grow responsibly. Oregon has sound options for meeting the reasonable needs of additional household use with approaches that do not sacrifice the sustainability of our aquifers.

“Oregon’s 1955 Groundwater Act was far ahead of its time in requiring responsible and sustainable groundwater management and the agency’s proposed rules take a science-based approach to implementing the Act’s critically important protections,” said Lisa Brown, Staff Attorney with WaterWatch of Oregon.

The Oregon Legislature has scheduled an informational hearing for Tuesday, Nov. 7th, to hear from OWRD about progress on this important rules update. The agency — after a series of public meetings and with extensive input from a broad-based rules advisory committee — is fulfilling its responsibility to update the rules to implement the statute based on the science. The Oregon Water Partnership supports the agency’s proposed rules and urges the agency to work to finalize and implement the rules. Oregon’s water resources must be managed with an eye to an uncertain future and a commitment to ecosystem and human health.

The Oregon Water Partnership (OWP) is a coalition of seven conservation organizations, including The Nature Conservancy (TNC), Oregon Environmental Council (OEC), WaterWatch of Oregon (WW), Wild Salmon Center (WSC), Trout Unlimited (TU), Environmental Defense Fund (EDF), and Sustainable Northwest (SNW).

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