



About OAR Chapter 690, Division 512 – Amending Malheur Lake Basin Program Rules

Purpose

The Oregon Water Resources Department (OWRD) will amend OAR-690-512 (Malheur Lake Basin Program Rules). These rules govern surface water and groundwater use and allocation within the Malheur Lake Administrative Basin. The amendment to the rules will designate portions of the Malheur Lake Basin Administrative Boundaries as a Critical Ground Water Area (CGWA) due to groundwater declines within the basin. The Division 512 update will follow the framework outlined in OAR-690-010 to designate a CGWA. A basin designated as a CGWA allows OWRD to implement corrective control provisions through a contested case process to reduce existing groundwater use in the basin. Additionally, the Division 512 rules will be amended to include designating the basin a Serious Water Management Problem Area (SWMPA). A SWMPA designation requires the installation of water use measuring devices and reporting water use data to the OWRD.

Scope

These rules will address:

The rules will primarily focus on:

- Removal of outdated 2016 language
- Boundary of the CGWA
- Sub Areas of CGWA
- General Corrective Control Provision under ORS 573.735(3)(a) – (f)
- Groundwater Classification
- SWMPA
- Limited Licenses for the Harney Basin Conservation Reserve Enhancement Program (CREP) program

These rules will not address:

The amended Division 512 rules **will not cover:**

- Transfers

Opportunities to Participate

There are several opportunities to participate in the development of these rules:

Oral or Written Comment at Rules Advisory Committee (RAC) Meetings – The first RAC meeting will be held April 25, 2023, from 2 pm to 5 pm. Interested persons are invited to attend and observe the RAC proceedings. The last 30 minutes of the meeting is reserved for public comment and questions. If more time is needed for public comment, OWRD may extend the meeting duration. Commenters will be limited to five minutes each (dependent on the number of commenters). Additional RAC meetings will be scheduled August 28, 2023, October 25, 2023, September 29, 2023, and an optional January 9, 2024, meeting also allowing 30 minutes for public comment and questions. Written comments will also be accepted during the RAC process from August 2023 to January 2024 and can be submitted to Kelly Meinz.

More information on the next page..

Public Comment Period and Hearing: A 90-day public comment period begins once notice of the proposed rules is posted in the Secretary of State (SOS) Bulletin. During the public comment period members of the public can submit written comments to the Department or provide oral comments at the scheduled Public Hearings.

Anticipated Rulemaking Timeline



Interested in this Rulemaking?

To sign up for future updates related to this and other Department rulemakings, please sign up [here](#):

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For more information, you can visit the division [512 webpage](#).

Or contact the Department's Rules Coordinator:

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