

AGENDA ITEM G

DIVISION 205 & 240

RULEMAKING



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Rulemaking

79th OREGON LEGISLATIVE ASSEMBLY--2017 Regular Session

Enrolled
House Bill 2296

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Water Resources Department)

CHAPTER

AN ACT

Relating to processes affecting the physical condition of wells; creating new provisions; and amending ORS 537.753.

House Bill 2296

Modifies ORS 537.753

- **Bond or letter of credit**
- **Landowner's permit and bond**
- **Clarifies when a landowner well construction permit is required**
- **Clarifies who needs a landowner permit**

Bond Amounts

Current Well Constructor's Bond

- **\$10,000**

Bond Amounts

Current Well Constructor's Bond

- **\$10,000**

New Well Constructor's Bond

- **\$20,000**

Landowner Permit

Current Landowner's Permit and Bond

- **\$25 Permit**
- **\$5,000 Bond**

Landowner Permit

Current Landowner's Permit and Bond

- \$25 Permit
- \$5,000 Bond

New Landowner's Permit and Bond

- \$500 Permit
- \$10,000 Bond





05.26.2015

Landowner Permit

Required anytime a person constructs their own well on their own property.

Landowner Permit

Required anytime a person constructs their own well on their own property.

- Not a licensed driller**
- Method of construction does not matter**
 - Machine or No Machine**

Proposed Changes

690-205-0005 - License or Permit Required to Construct Water Supply Wells

(2) If a person advertises services and/or enters into contracts for the construction, alteration or abandonment of water supply wells for another person, that person shall furnish a ~~(\$10,000)~~ Water Well Constructor's Bond or Irrevocable Letter of Credit in the amount specified under ORS 537.753 to the Water Resources Commission and must be a licensed Water Supply Well Constructor.

Proposed Changes

690-205-0005 - License or Permit Required to Construct Water Supply Wells

(3) A property owner [who is not licensed under ORS 537.747](#) who constructs, alters, or abandons a water supply well on their own property shall have a Landowner Well Permit as described in OAR 690-205-0175 for each water supply well on which work is done.

Proposed Changes

690-205-0175 – Landowner Well Construction Permit, Fee and Bond

(2)(b) A properly executed Landowner's Water Well Bond or Irrevocable Letter of Credit in the amount specified under ORS 537.753 (~~for \$5,000~~) to the State of Oregon; and

(2)(c) A (~~\$25~~) permit fee in the amount specified under ORS 537.753.



11/17/2015



Proposed Changes

690-240-0055 – License Required to Construct Monitoring Wells

(2) If a person advertises services or enters into contracts for the construction, alteration or abandonment of monitoring wells for another person, that person shall furnish a ~~(\$10,000)~~ Water Well Constructor's Bond or Irrevocable Letter of Credit in the amount specified under ORS 537.753 to the Water Resources Commission and must be a licensed Monitoring Well Constructor.

Proposed Changes

690-240-0055 – License Required to Construct Monitoring Wells

(3) A property owner [who is not licensed under ORS 537.747](#) who constructs, alters, or abandons a monitoring well on their own property shall have a Landowner Well Permit as described in OAR 690-240-0340 for each monitoring well on which work is done.

Proposed Changes

690-240-0340 – Landowner Well Construction Permit, Fee and Bond

- (2)(b) A properly executed Landowner's Water Well Bond or Irrevocable Letter of Credit in the amount specified under ORS 537.753 (~~for \$5,000~~) to the State of Oregon; and
- (2)(c) A ~~(\$25)~~ permit fee in the amount specified under ORS 537.753.

Rulemaking

79th OREGON LEGISLATIVE ASSEMBLY--2017 Regular Session

Enrolled

House Bill 2296

Introduced and printed in the Oregon Legislative Assembly on February 1, 2017. Pre-session filed (at the request of Governor
Kate Brown for Water

CHAPTER

AN ACT

Relating to processes affecting the physical condition of wells; creating new p
amending ORS 537.753.

Effective January 1, 2018

Public Comment

- **RAC Meeting – September 1**

Public Comment

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- **Public Comment Period – Oct. 1 thru Nov. 3**

Public Comment

One Comment Received

- Individual opposes the Landowner Permit Application fee increase, as well as the well construction bond increases. Provides that urban county residents will be hardest hit and that the increases are too large.

Public Comment

Department Response

- The proposed rule changes are incorporating modifications made to Oregon Revised Statute (ORS) 537.753 by HB 2296.
- There are no new fees established by the rulemaking.

Public Comment

- **GWAC – October 13**

Public Comment

- **GWAC – October 13**
 - **unanimously recommended that the proposed rule changes be approved by the Commission as written.**

Public Comment

- **Public Hearing – October 27**

Public Comment

- **Public Hearing – October 27**
 - **No testimony**

Public Comment

- **Public Hearing – October 27**
- **Upon Commission Approval**
 - **Effective January 1, 2018**

Alternatives

The Commission may consider the following alternatives:

- 1. Adopt final proposed rules in Attachment 3.**
- 2. Adopt modified final proposed rules.**
- 3. Not adopt rules and request the Department to further evaluate the issues.**

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Questions?

