

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of the Proposed Water) FINAL ORDER APPROVING A
Management and Conservation Plan for) WATER MANAGEMENT AND
City of Corvallis, Benton County) CONSERVATION PLAN

Authority

OAR Chapter 690, Division 086, establishes the process and criteria for approving water management and conservation plans required under the conditions of permits, permit extensions and other orders of the Department. An approved water management plan may authorize the diversion and use of water under a permit extended pursuant to OAR Chapter 690, Division 315.

Findings of Fact

1. The City of Corvallis submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on July 25, 2012. The plan was required by a condition set forth under the City's previously approved plan (*Sp. Or. Vol. 73, Pg. 378*) issued on September 27, 2007, and by a condition set forth in the final order approving an extension of time for the City's Permit S-35551.
2. The Department published notice of receipt of the plan on July 31, 2012, as required under OAR Chapter 690, Division 086. No comments were received.
3. The Department provided written comments on the plan to the City on October 2, 2012, and in response, the City submitted the final revised plan on November 30, 2012.
4. The Department reviewed the final revised plan and finds that it contains all of the elements required under OAR 690-086-0125.
5. The projections of future water needs in the plan demonstrate a need for up to an additional 6.6 cfs of water available under Permit S-35551 to help meet the City's anticipated 20-year water demands. These projections are reasonable and consistent with the City's land use plan.
6. The City's system is fully metered and the rate structure includes a base service charge with an inclining block rate structure (*i.e., volumetric charge*). The City bills its customers on a monthly basis. Unaccounted-for water is estimated at 6 percent.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

7. The plan includes 5-year conservation benchmarks to continue to: perform monthly and annual water system audits; maintain a fully metered water system; bill customers monthly and based, in part, on the quantity of water metered at the service connection, using an inclining block rate structure; include water conservation messages with water service bills; fund leak detection and pipeline repair or replacement; monitor customer consumption records for evidence of leaks and inform customers of possible leaks; perform current public education efforts and update the City's web site and outreach materials as needed; work with the City Parks and Recreation Department to improve its water efficiency through technical assistance; offer financial assistance for timely leak detection and repairs; offer toilet leak detection tablets at the water utility billing office, the Public Works Department office, and on door knobs of customers who are suspected of having a leak, along with a notice stating that a leak is suspected and the available resources to the customer; offer free low-flow showerheads, faucet aerators and high efficiency toilet rebates; use reclaimed water for operation of the wastewater reclamation facility and irrigation of the entire Public Works Department campus adjacent to the facility.
8. The plan includes 5-year conservation benchmarks to implement programs to: periodically review the City's water audits for accuracy and validity; test at least 80 percent of the approximately 450 large meters in the system each year; repair or replace large meters as they fail; replace small meters as they fail; replace older meters that fail with meters that have AMI technology; replace water pipelines as the budget allows; seek additional partnerships to promote water conservation through public education; audit a majority of the un-audited City-owned buildings within 5 years, with the remainder being audited within 10 years.
9. The plan includes 5-year conservation benchmarks for evaluation, development, and implementation of programs to: evaluate incorporation of meter testing and replacement activities and leak detection surveys into the annual water audit; develop graphical tools and information to improve the water audit; evaluate water rates on an annual basis; evaluate public education efforts and look for additional cost-effective opportunities; explore opportunities for water reuse and recycling, such as expanded reuse of wastewater from the wastewater reclamation facility; and explore implementing a "Dormant Lawn" program in the City to decrease peak season water use.
10. The plan identifies the Willamette River, the Rock Creek watershed (*being Rock Creek, North Fork Rock Creek, South Fork Rock Creek, Middle Fork Rock Creek, Griffith Creek and Stilson Creek*) and ground water as the sources of the City's water rights. The plan accurately and completely describes the listed fish species that occur in the Upper Willamette River ESU (Evolutionary Significant Unit), namely: Spring Chinook (*federally-listed as threatened and state-listed as sensitive-critical*); Steelhead (*state-listed as sensitive-vulnerable*); Oregon Chub (*federally-listed as threatened and state-listed as sensitive-critical*); Pacific Lamprey (*state-listed as sensitive-vulnerable*); and Western Brook Lamprey (*state-listed as sensitive-vulnerable*).

The plan also accurately and completely describes the water quality parameters for which the Willamette River has been 303(d) listed by the Oregon Department of Environmental Quality (ODEQ), and identifies that the City's ground water sources are located within the Southern Willamette Valley Ground Water Management Area, as designated by ODEQ.

11. The water curtailment element included in the plan satisfactorily promotes water curtailment practices and includes a list of four stages of alert with concurrent curtailment actions.
12. The City has beneficially used 18.3 cfs of the 65.0 cfs of water authorized under Permit S-35551 for municipal purposes; the City received confirmation of the incremental perfection for the 18.3 cfs with the issuance of Certificate 84008.
13. The diversion of water under Permit S-35551 will be expanded during the next 20 years and is consistent with OAR 690-086-0130(7), as follows:
 - a. As evidenced by the 5-year benchmarks described in Findings of Fact #7 – #9, the plan includes a schedule for continuation, implementation and/or development of water conservation measures that would provide water at a cost that is equal to or lower than the cost of other identified sources;
 - b. Considering that implementation of water conservation measures alone cannot meet the City's projected 20-year water demands; the water supply limitations with the City's Rock Creek watershed sources (*i.e., limited streamflow during peak demand periods*), the water quality issues with the City's ground water sources; and the lack of feasible opportunities for purchasing water from other water suppliers through interconnection, increased use from the Willamette River is the most feasible and appropriate water supply alternative available to the supplier.
 - c. The City is not currently required to take any mitigation actions under state or federal law; however, the City is subject to "fish persistence" conditions included in the final order (*issued on June 15, 2010*) approving an extension of time for Permit S-35551 that establish minimum fish flows to maintain the persistence of listed fish species in the portion of the Willamette River affected by water use under the permit.

Conclusion of Law

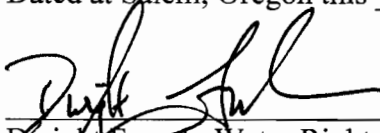
The Water Management and Conservation Plan submitted by the City of Corvallis is consistent with the criteria in OAR Chapter 690, Division 086.

Now, therefore, it is ORDERED:

1. The City of Corvallis Water Management and Conservation Plan is approved and shall remain in effect until December 3, 2022, unless this approval is rescinded pursuant to OAR 690-086-0920.
2. The limitation of the diversion of water under Permit S-35551 established by the extension of time approved on June 15, 2010, is removed. Subject to other limitations or conditions of Permit S-35551, in addition to the 18.3 cfs under Certificate 84008 (Permit S-35551), the City of Corvallis is authorized to divert up to 6.6 cfs under Permit S-35551.
3. The City of Corvallis shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within 10 years and no later than June 3, 2022.
4. The City of Corvallis shall submit a progress report containing the information required under OAR 690-086-0120(4) by December 3, 2017.

5. The deadline established herein for the submittal of an updated Water Management and Conservation Plan (consistent with OAR Chapter 690, Division 086) shall not relieve the City of Corvallis from any existing or future requirement(s) for submittal of a Water Management and Conservation Plan at an earlier date as established through other final orders of the Department.

Dated at Salem, Oregon this 4 day of December, 2012.



Dwight French, Water Right Services Administrator for
PHILLIP C. WARD, DIRECTOR

Mailing date: DEC 07 2012