



Oregon

Kate Brown, Governor

Water Resources Department

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August 1, 2019

City of Woodburn
Attn: Eric Liljequist, PE – Public Works Director
190 Garfield St.
Woodburn, OR 97071

Subject: Water Management and Conservation Plan

Dear Mr. Liljequist:

Enclosed; please find the final order approving your Water Management and Conservation Plan, which authorizes the diversion of up to **2.67 cfs (out of total permitted 3.12 cfs)** of water under Permit **G-11730**. The final order also specifies that the diversion of water under Permit **G-17731** remains authorized at no more than **0.7 cfs (out of total permitted 4.61 cfs)**.

The attached final order specifies that the City of Woodburn's plan shall remain in effect until **August 1, 2029**. Additionally, the City of Woodburn is required to submit a progress report to the Department by **August 1 2024**, detailing progress made toward the implementation of conservation benchmarks scheduled in the plan. Finally, the City of Woodburn must submit an updated Water Management and Conservation Plan to the Department by **February 1, 2029**.

NOTE: *The deadline established in the attached final order for submittal of an updated water management and conservation plan (consistent with OAR Chapter 690, Division 086) shall not relieve the City of Woodburn 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.*

We appreciate your cooperation in this effort. Please do not hesitate to contact me at 503-986-0919 or Kerri.H.Cope@oregon.gov if you have any questions.

Sincerely,

Kerri Cope
Water Management and Conservation Analyst
Water Right Services Division



Enclosure

cc: WMCP File
Application #G-13518 (Permit #G-17730)
Application #G-13519 (Permit #G-17731)
District 16 Watermaster
GSI Water Solutions, Attn: Adam Sussman, 1600 SW Western Blvd. Suite 240, Corvallis, OR 97333

**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 Woodburn, Marion 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 and conservation 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 Woodburn submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on January 20, 2010. The required statutory fee for review of the plan was received by the Department on February 16, 2010. The plan was required by a condition set forth under Permit G-12029, and a condition set forth in the final orders issued on August 12, 2011 approving extensions of time for Permits G-17730 (*formerly G-11921*) and G-17731 (*formerly G-11922*).
2. The Department published notice of receipt of the plan on February 23, 2010, as required under OAR Chapter 690, Division 086. No comments were received.
3. The city provided notice to affected local governments on July 19, 2012 after which the Department could proceed with processing of the plan.
4. The Department provided written comments on the plan to the City on December 13, 2013. In response, the City submitted a revised plan on February 12, 2019.
5. The Department reviewed the revised plan and finds that it contains all of the elements required under OAR 690-086-0125 and OAR 690-086-0130.
6. The projections of future water needs in the plan demonstrate a need for **1.97 cfs** of water available under Permit G-17730 to help meet overall projected 20-year demands. These projections are reasonable and consistent with the City's land use plan.

<p>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.</p>

7. The system is fully metered and the rate structure includes a base rate and volumetric charge. Water loss is estimated at 10.1 percent.
8. The plan includes 5-year benchmarks for implementation and/or continuation of a program to test and repair meters and a program to perform periodic and systemic leak detection surveys of its distribution system until water loss is below 10 percent; evaluation of the feasibility of including 12-month usage history in customers' bills; and installation of rain sensors on irrigation systems at three (3) City locations that have high water usage during each irrigation season.
9. The plan includes the continuation or implementation of the following required conservation measures:
 - a. Annual water audits;
 - b. System wide metering;
 - c. A meter testing and maintenance program;
 - d. A rate structure under which customers' bills are based, in part on the quantity of water metered at the service location;
 - e. A leak detection and repair program; and,
 - f. A robust public education program that includes bill inserts, water-wise e-Blasts three or more times per week during each irrigation season, water conservation brochures available to customers at key city offices, water conservation information on the City's website, and local community outreach events.
10. The plan identifies groundwater as the source of the City's water rights and accurately and completely describes that the City's wells are not located within the designated boundaries of any critical groundwater area.
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 diversion of water under Permit G-11730 will be increased during the next 20 years and is consistent with OAR 690-086-0130(7), as follows:
 - a. As evidenced by the 5-year conservation benchmarks established by the City (as described in Findings of Facts #8 and #9 above), the final revised plan includes a schedule for the continuation and implementation 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. The increased use of water under Permit G-17730 is the most feasible and appropriate water supply alternative available to the City at this time, considering that water savings from identified conservation measures are not anticipated to fully meet the City's current and future needs; and

- c. At this time, there are no known requirements for the City to take any mitigation actions under state and federal law.

Conclusion of Law

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

Now, therefore, it is ORDERED:

Duration of Plan Approval:

1. The City of Woodburn Water Management and Conservation Plan is approved and shall remain in effect until **August 1, 2029**, unless this approval is rescinded pursuant to OAR 690-086-0920.

Development Limitation(s):

2. The limitation of the diversion of water under **Permit G-17730** (*being 0.7cfs*) established by the extension of time approved on August 12, 2011 is modified, and the City of Woodburn is authorized to divert up to **2.67 cfs** (*out of the total permitted 3.12 cfs*) of water under Permit **G-17730**, subject to other limitations or conditions of the permit.
3. Failure to meet or maintain the conservation benchmarks listed above in Findings of Fact #8 and #9, may result in the reduction of the quantity of water authorized for diversion under Permit G-17730 during review of the City's next plan update.
4. The limitation of the diversion of water under **Permit G-17731** (*being 0.7cfs*) established by the extension of time approved on August 12, 2011 for Permit G-17731 remains unchanged. Therefore, the City of Woodburn remains authorized to divert only up to **0.7 cfs** (*out of the total permitted 4.61 cfs*) of water under Permit **G-17731**, subject to other limitations or conditions of the permit.

Plan Update Schedule:

5. The City of Woodburn shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 no later than **February 1, 2029**.

Progress Report Schedule:

6. The City of Woodburn shall submit a progress report containing the information required under OAR 690-086-0120(4) by **August 1, 2024**.

Other Requirements for Plan Submittal:

7. 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 Woodburn 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 day AUG 02 2019


Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources

Mailing date: AUG 05 2019

Notice Regarding Service Members: Active duty service members have a right to stay these proceedings under the federal service members Civil Relief Act. For more information, contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.