BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of the Proposed Water Management and Conservation Plan for the City of Florence, Lane County	)))	FINAL ORDER APPROVING A WATER MANAGEMENT AND 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.

Findings of Fact

1. The City of Florence submitted a Water Management and Conservation Plan (plan) and required statutory fee for review of the plan to the Water Resources Department (Department) on April 1, 2020. The plan was required by a condition set forth under Permit G-16885 (formerly G-15056) and a condition set forth under the City's previously approved plan (Sp. Or. Vol. 80, Pgs. 604 – 606) issued on April 9, 2010.

2. The Department published notice of receipt of the plan on April 14, 2020, 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 May 22, 2020. In response, the City submitted a revised plan on August 5, 2020.

4. The Department reviewed the revised plan and finds that the revised plan is consistent with the relevant requirements under OAR Chapter 690, Division 086.

Conclusion of Law

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

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.

Now, therefore, it is ORDERED:

Duration of Plan Approval:

1. The City of Florence Water Management and Conservation Plan is approved and shall remain in effect until **September 10, 2030**, unless this approval is rescinded pursuant to OAR 690-086-0920.

Development Limitation:

2. The limitation of the diversion of water under **Permit G-16885** established in the Final Order approving the City's previous WMCP issued on April 9, 2010 is now modified. Subject to other limitations or conditions of the permit, therefore, the City of Florence is now authorized to divert only up to **2.4cfs (*out of the total permitted 3.0cfs*)** of water under **Permit G-16885**.

Plan Update Schedule:

3. The City of Florence shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 (effective November 1, 2002) within **10 years** and no later than **March 10, 2030**.

Progress Report Schedule:

4. The City of Florence shall submit a progress report containing the information required under OAR 690-086-0120(4) by **September 10, 2025**.

Other Requirements for Plan Submittal:

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 Florence 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 SEP 29 2020

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

Mailing date: SEP 30 2020

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.

Special Order Volume 117, Page 608.