

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

In the Matter of the Proposed Water) FINAL ORDER APPROVING A WATER
Management and Conservation Plan for) MANAGEMENT AND CONSERVATION
the City of Gearhart, Clatsop County) 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 Gearhart submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on October 13, 2022. The required statutory fee for review of the plan was received by the Department on October 13, 2022. The plan was required by a condition set forth under the City's previously approved plan (Sp. Or. Vol. 88, Pg. 498 issued on September 6, 2012).
2. The Department published notice of receipt of the plan on October 25, 2022, as required under OAR Chapter 690, Division 086. No comments were received.
3. The Department reviewed the plan, and finds that the 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 Gearhart 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 Gearhart Water Management and Conservation Plan is approved and shall remain in effect until **April 12, 2033**, unless this approval is rescinded pursuant to OAR 690-086-0920.

Plan Update Schedule:

2. The City of Gearhart shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 (effective December 23, 2018) within **Ten (10) years and no later than October 12, 2032**.

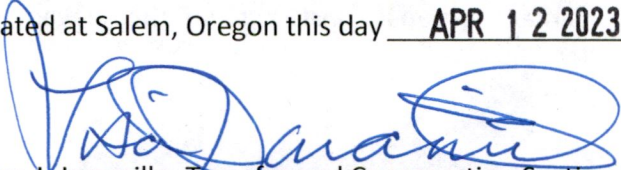
Progress Report Schedule:

3. The City of Gearhart shall submit a progress report containing the information required under OAR 690-086-0120(4) by **April 12, 2028**.

Other Requirements for Plan Submittal:

4. 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 Gearhart 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 APR 12 2023


Lisa J. Jaramillo, Transfer and Conservation Section Manager for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources

Mailing date: APR 13 2023

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.