

**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
Rockwood Water People's Utility District and	)	CONSERVATION PLAN
the City of Gresham, Multnomah County	)	

**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 Rockwood Water People's Utility District (District) and the City of Gresham (City) submitted a joint Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on April 30, 2013. The plan was required by a condition set forth in the final order issued on April 10, 2012, approving an extension of time for Permit G-8719, which was subsequently superseded by Permit G-16917 (*issued on July 10, 2012*) to document changes authorized under Permit Amendment T-10554.
2. The Department published notice of receipt of the plan on May 7, 2013, as required under OAR Chapter 690, Division 086. No comments were received.
3. The Department provided written comments on the plan to the District and the City on July 2, 2013. In response, the District and the City submitted the final revised plan to the Department on August 8, 2013.
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 District and the City anticipate a combined maximum day demand of 50.6 cfs in the year 2032, approximately. Considering their current water supplies, including contracts for water received from the Portland Water Bureau, the projections of future water needs in the plan demonstrate a need for 33.5 cfs of water available under Permit G-16917 to help meet the anticipated 20-year water demands for the District and the City. These projections are reasonable and consistent with the land use plans for the District and the City.

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.

6. The District's system is fully metered and the rate structure includes a base rate and volumetric charge. The District's unaccounted-for water is estimated at 15.5 percent.
7. The final revised plan includes 5-year conservation benchmarks specific to the District for:
  - a. Implementation and/or continuation of the following actions and programs: annual water audits; metering of all new service connections; constant monitoring of the system, testing and making upgrades and repairs, as needed; meter repair or replacement as meters fail; rate structure consisting of bi-monthly water service charge based on meter size and bi-monthly consumption charge based on the quantity of water metered at service connections; leak detection surveys to identify areas with steel or cast-iron pipe and areas with common leak repairs that have not yet been addressed; repair or replacement of waterlines identified as having leaks; monitoring customer consumption records for evidence of leaks, with customer contact when records suggest the presence of a leak; expansion of the leak detection program if unaccounted for water does not decrease to 15 percent after three years based on water audit and leak detection efforts; continuation of membership in the Regional Water Providers Consortium; continuation of current public education and outreach efforts; and offering home water audits and toilet leak detection tablets.
  - b. Evaluation, development, and/or implementation of the following: analysis of potential sources of unaccounted for water and development of a plan to address those sources to decrease unaccounted for water to 15 percent or less; assessment of the District's billing software to determine if any accounting errors may be present under current practices and fix errors, as necessary; review of water service charges and consumption charges, as well as rate structure, such as conducting analysis of inclining block rates; evaluation of the feasibility of developing public education efforts oriented towards commercial and industrial customers, as well as non-profit and public customers; exploration of cost-effective ways to expand the leak detection and repair program; analysis of the feasibility of offering water audits for commercial, industrial and public water users and offering financial incentives for those water users to install water saving devices; investigation of potential program(s) to retrofit and replace inefficient fixtures used by commercial, industrial, non-profit and public customers; evaluation of the feasibility of including conservation information in billing statements more regularly; and investigation of reuse, recycling and non-potable water opportunities with large commercial and industrial customers within the service area.
8. The final revised plan identifies ground water as the source of the District's currently held water rights, and it accurately and completely describes that this ground water supply is not located within the boundaries of any designated critical ground water area or ground water limited area. The final revised plan also identifies the Columbia River as the proposed source of water in the District's pending application (S-72354) on file with the Department.
9. The District's water curtailment element included in the final revised plan satisfactorily promotes water curtailment practices and includes a list of three stages of alert with concurrent curtailment actions.

10. The City's system is fully metered and the rate structure includes a base rate and volumetric charge. The City's unaccounted-for water is estimated at 6.0 percent.
11. The final revised plan includes 5-year conservation benchmarks specific to the City for:
  - a. Implementation and/or continuation of the following actions and programs: annual water audits; metering of all service connections; upgrade of all customer meters with AMI technology; meter testing and maintenance according to the manufacturer's recommendations; monitoring meter readings from the AMI technology on an ongoing basis with adjustments made or faulty meters replaced, as needed; continuation of the leak detection and repair program for retail customers and the public system; survey of the entire public system for leaks using the acoustic sensing technology; continued membership in the Regional Water Providers Consortium; and survey of all City water pipes on a five-year cycle, with repair or replacement of leaking pipes.
  - b. Evaluation, development, and/or implementation of the following: Review accounting of both authorized and unauthorized non-revenue water use to develop the best estimates practicable; conduct a cost-of-service analysis and review how expenses are allocated across the customer base and consider alternative rate models; evaluation of billing customers on a monthly basis; evaluation of existing direct outreach educational methods; consideration of web-based tools to deliver useful information, such as water conservation and individual consumption history; evaluation of current printed outreach materials and opportunities to enhance customers' ability to troubleshoot water fixtures at home; review of leak detection information about fixing leaks in indoor fixtures and irrigation systems and update it as necessary; evaluation of technical assistance programs against the goals of managing summer peaking and providing services to the community; consideration of other technical assistance models for single family, multifamily, and commercial customers, as well as other customer classes; consideration of expanding outreach efforts with single-family residential conservation kits, and multifamily and commercial customer technical assistance; evaluation of the efficacy of the efficient fixtures programs; consideration of alternate ways of delivering services and devices to customers through partnerships with electrical utilities, gas utilities and others; consideration of including water conservation inserts with water bills on a more regular basis; and evaluation of non-potable water opportunities and conducting a cost/benefit analysis on feasibility of irrigating a sports complex with non-potable water from wells on City-owned property.
12. The final revised plan identifies ground water as the source of the City's water rights (potable drinking water supply). The final revised plan also accurately and completely describes that this ground water supply is not located within the boundaries of any designated critical ground water area or ground water limited area.
13. The City's water curtailment element included in the final revised plan satisfactorily promotes water curtailment practices and includes a list of four stages of alert with concurrent curtailment actions.

14. The diversion of water under Permit G-16917 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 established by the District and the City (*as described in Findings of Fact #7 and #11 above*), the final revised 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 water savings alone from identified conservation measures cannot fully meet projected water demands for the District and the City, that neither water savings from identified conservation measures nor a potential increased supply received from the Portland Water Bureau would provide the additional supply redundancy that the District and City are seeking, and that new interconnection(s) with other neighboring water suppliers is not viable because excess water supply is not available from those water suppliers, the increased diversion of water under Permit G-16917 is the most feasible and appropriate water supply alternative available to the District and the City at this time; and
- c. Neither the District nor the City is currently required to take any mitigation actions under state or federal law.

### **Conclusion of Law**

The joint Water Management and Conservation Plan submitted by Rockwood Water People's Utility District and the City of Gresham is consistent with the criteria in OAR Chapter 690, Division 086.

### **Now, therefore, it is ORDERED:**

1. The Rockwood Water People's Utility District and the City of Gresham joint Water Management and Conservation Plan is approved and shall remain in effect until **August 12, 2023**, unless this approval is rescinded pursuant to OAR 690-086-0920.
2. The limitation of the diversion of water under Permit G-16917 (*which superseded Permit G-8719*) established by the extension of time approved on April 10, 2012, is removed and, subject to other limitations or conditions of the permit, the Rockwood People's Water Utility District and the City of Gresham are authorized to divert up to 33.5 cfs under Permit G-16917.
3. The Rockwood Water People's Utility District and the City of Gresham shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within 10 years and no later than **February 12, 2023**.
4. The Rockwood Water People's Utility District and the City of Gresham shall submit a progress report containing the information required under OAR 690-086-0120(4) by **August 12, 2018**.

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 Rockwood Water People's Utility District and/or the City of Gresham 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 12 day of August, 2013.

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

Mailing date: AUG 23 2013