



**WATER RESOURCES COMMISSION
VIRTUAL MEETING
June 16-17, 2022
AGENDA**

The public is invited to participate in the Commission Meeting in a number of ways:

YouTube Livestream: To view the meeting via YouTube livestream on June 16, 2022, click on this link: <https://youtu.be/llZEhpaWO9o>. To view the meeting via YouTube livestream on June 17, 2022, click on this link: <https://youtu.be/YE2KgRIWzSM>. Public comment will not be accepted through this platform. Please note there may be a slight delay when streaming the meeting content. ***In order to preserve bandwidth for presenters and individuals providing comment, the Department highly encourages those who are not presenting or providing comment to utilize this method to view or listen to the meeting.***

Join by Zoom via Video: You may join the meeting on one or both days by clicking on this link: <https://us02web.zoom.us/j/84575183290?pwd=MHIzSUI4RmRuWW1zNGZlUzZGWWpNQT09>. To prevent background noise, all attendees will be muted upon joining the meeting. To improve bandwidth during the meeting, only members of the Commission, Department staff, and those presenting to or addressing the Commission will appear on video display. ***Please see page 4 for instructions on how to submit public comment.***

Join by Zoom via Telephone: You may join the meeting on one or both days by dialing **1 (253) 215-8782**. When prompted, enter the meeting ID (**845 7518 3290#**) and passcode (**373653#**). To prevent background noise, all callers will be muted upon joining the meeting. Individuals providing public comment will be unmuted only while addressing the Commission. ***Please see page 4 for instructions on how to submit public comment.***

Timing of Agenda Items: If a specific time is indicated for an agenda item, every effort will be made to consider the item as close to its scheduled time as possible. However, because of the uncertain length of time needed for each agenda item, scheduled times may be modified. Those wishing to hear discussion on a specific item should join the at the beginning of the meeting to avoid missing the discussion.

Meeting Materials: Staff reports for individual agenda items, when available, can be found on the Commission's website by clicking on the following link: https://apps.wrd.state.or.us/apps/misc/wrd_notice_view/Default.aspx?notice_id=41

COMMISSION MEETING: Thursday, June 16, 2022 (8:00 AM – 5:00 PM)

YouTube Livestream: <https://youtu.be/1lZEhpaWQ9o>

- A. Commissioner Comments (8:00 AM – 8:30 AM)**
Commissioners will report on their recent activities, share information, and comment on a variety of water resource topics.
- B. Approval of Minutes (8:30 AM – 8:35 AM)**
The minutes of the March 17-18, 2022 and the May 31, 2022 meetings will be presented for Commission approval. *The Commission will be asked to approve the minutes.*
- C. Director’s Report (8:35 AM – 9:00 AM)**
Tom Byler, Director, will provide an update on Department business and late-breaking issues. *This is an informational report.*
- D. Update on Project Implementation (9:00 AM – 9:45 AM)**
Tom Byler, Director, will discuss the implementation of projects following the 2021 Legislative Session, including the status of recruitments, projects, and rulemaking. *This is an informational report.*

BREAK (9:45 AM – 10:00 AM)

- E. State Recognition of the Mid-Coast Water Planning Partnership’s Water Action Plan (10:00 AM – 11:15 AM)**
Adam Denlinger, Manager, Seal Rock Water District; Alan Fujishin, Manager, Gibson Farms; Kim Fritz-Ogren, Planning, Collaboration, and Investments Section Manager; and Steve Parrett, Planning Coordinator; will present the Mid-Coast Water Planning Partnership’s Water Action Plan and the accompanying state agency recommendation for state recognition of the plan. *The Commission will be asked to recognize the plan.*
- F. Drought and Water Conditions Update (11:15 AM – 11:45 AM)**
Ryan Andrews, Hydrologist, will provide an update on current drought conditions, coordination and communication efforts, and support available for water users. *This is an informational report.*

LUNCH (11:45 AM – 12:45 PM)

- *G. Division 54 Rulemaking - Conversion of a Hydroelectric Water Right to an Instream Water Right (12:45 PM – 1:45 PM)**
Tom Byler, Director; Dwight French, Water Right Services Division Administrator, and Mary Grainey, Hydroelectric Coordinator; will present a request to adopt new rules governing the conversion of hydroelectric water rights to instream water rights. *The Commission will be asked to consider the adoption of the proposed rules.*

- H. Groundwater Allocation Project Update (1:45 PM – 2:15 PM)**
Doug Woodcock, Deputy Director, Water Management; Ivan Gall, Field Services Division Administrator; and Justin Iverson, Groundwater Section Manager; will provide an update on the groundwater allocation project. *This is an informational report.*

BREAK (2:15 PM – 2:30 PM)

- I. State Recognition of the Lower John Day Place-Based Partnership’s Integrated Water Resources Plan (2:30 PM – 3:45 PM)**
Herb Winters, Gilliam Soil and Water Conservation District Manager; Debra Bunch, Mid-John Day Watershed Council Coordinator; Kim Fritz-Ogren, Planning, Collaboration, and Investments Section Manager, and Steve Parrett, Planning Coordinator; will present the Lower John Day Integrated Water Resources Plan and the accompanying state agency recommendation for state recognition of the plan. *The Commission will be asked to recognize the plan.*

BREAK (3:45 PM – 4:00 PM)

- J. Harney Basin Groundwater Study: Report Summary and Next Steps (4:00 PM – 5:00 PM)**
Justin Iverson, Groundwater Section Manager, will provide a summary of the recently published Harney Basin Groundwater Basin Study reports and present next steps for groundwater management in the basin. *This is an informational report.*

COMMISSION MEETING: Friday, June 17, 2022 (8:00 AM – 12:00 PM)

YouTube Livestream: <https://youtu.be/YE2KgRIWzSM>

- K. Feasibility Study Grants Funding Recommendations (8:00 AM – 9:00 AM)**
Kim Fritz-Ogren, Planning, Collaboration, and Investments Section Manager, and Adair Muth, Grant Management Analyst, will present the funding recommendations for the 2021-2022 funding cycle of Feasibility Study Grants. *The Commission will be asked to make funding decisions.*

BREAK (9:00 AM – 9:15 AM)

- L. Harney Community-Based Water Planning Collaborative Planning Update (9:15 AM – 10:30 AM)**
Mark Owens, Farmer and State Representative, District 60; Brenda Smith, Executive Director, High Desert Partnership; Holly Mondo, Planning Project Manager; Kim Fritz-Ogren, Planning, Collaboration, and Investments Section Manager, and Steve Parrett, Planning Coordinator; will present an update on the Collaborative’s planning progress and work in development of the groundwater portion of their integrated plan. *This is an informational report.*

BREAK (10:30 AM – 10:45 AM)

M. Adoption of Temporary Rules to Clarify Applicability of Automatic Stay Associated with Petition for Judicial Review under ORS 536.075 (10:45 AM – 11:45 AM)

Doug Woodcock, Deputy Director, Water Management, and Renee Moulun, Oregon Department of Justice, will present a request to adopt temporary rules to clarify that the automatic stay provision related to petitions for judicial review under ORS 536.075 applies only to the enforcement of regulatory orders. *The Commission will be asked to consider the adoption of the proposed rules.*

N. Public Comment/Other Issues (Approximately 11:45 AM)

MEETING PROCEDURES

Agenda items are generally taken in the order listed above. However, under certain circumstances, the Commission may elect to take an item out of order. Please be aware that topics not listed on the agenda may be introduced during the Commissioner Comments period, the Director's Report, the Public Comment/Other Issues period, or at other times during the meeting.

- * **Public Testimony and Written Comments:** The Commission encourages public comment on any agenda item. However, public testimony is limited on items marked with an asterisk (*). Items marked with an asterisk are subject to a formal public hearing or contested case hearing. Note the Commission cannot accept comments on items with an asterisk, as the public comment period for those items is closed.

Written Comments: Early delivery of written comments is strongly encouraged in order that Commissioners have sufficient opportunity to review materials prior to the meeting.

To ensure full consideration by the Commission, written comments must be emailed to nirvana.cook@oregon.gov by 5:00 PM on Monday, June 13. A confirmation email will be sent. If you do not receive a confirmation email, please call Nirvana Cook at (503) 798-3196.

Oral Comments: Oral public comments may be limited to three minutes. Comments relating to a specific agenda item will be heard by the Commission as each agenda item is considered.

Comments on other topics may be made during the public comment period. To make oral public comment, you must electronically submit an Oral Public Comment Request Form, or notify Nirvana Cook via email. Oral Public Comment Request Forms can be found on the

Commission's website. To find the form, click on the following link and scroll to the bottom of the webpage: www.oregon.gov/owrd/aboutus/Commission/Pages/default.aspx

A confirmation email will be sent. If you do not receive a confirmation email, or to submit an oral public comment request by phone, please call Nirvana Cook at (503) 798-3196.

Executive Session: The Commission may also convene in a confidential Executive Session where, by law, only members of the press and Department staff may attend. Before convening such a session, the presiding Commission member will make a public announcement and explain necessary procedures.

Special Accommodations: If special accommodations are needed for this meeting, please advise Nirvana Cook (contact information below) as soon as possible, *but at least 48 hours in advance of the meeting.*

Staff Contact: If you have any questions about this agenda or the Commission’s procedures, please contact Nirvana Cook at nirvana.cook@oregon.gov or (503)798-3196.

WATER RESOURCES COMMISSION

<u>Commissioner</u>	<u>City of Residence</u>	<u>Region</u>	<u>Term Expires</u>
Meg Reeves, Chair	Corvallis	West Side at Large	2024
Eric Quaempts, Vice Chair	Adams	North Central Region	2025
Jan Lee	Sandy	Northwest Region	2025
Kathy Kihara	Bend	East Side at Large	2025
Woody Wolfe	Wallowa	Eastern Region	2025
Joe Moll	Eugene	West Central Region	2025
Julie Smitherman	Talent	Southwest Region	2025

Oregon Water Resources Department

Thomas M. Byler, Director
725 Summer Street NE, Suite A
Salem, OR 97301-1271
www.oregon.gov/owrd