



# Oregon

Tina Kotek, Governor

Water Resources Department

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## WATER RESOURCES COMMISSION MEETING

February 23-24, 2023

DEPARTMENT OF STATE LANDS

LAND BOARD ROOM

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

and Via Zoom Videoconference

### AGENDA

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

**In-Person:** The Commission meeting will be held at the Oregon Department of State Lands building in the Land Board Room. *Please see page 5 for directions to the meeting.*

**YouTube Livestream:** To view the Commission meeting via YouTube livestream on February 23, click on this link: <https://youtube.com/live/G0Mrz-lhg-4?feature=share>. To view the Commission meeting via YouTube livestream on February 24, click on this link: <https://youtube.com/live/RPvbe0w3m2k?feature=share>. 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:** To join the Commission meeting on one or both days click on this link: <https://us02web.zoom.us/j/81419996411?pwd=SG0vcWlwREh5Z2grcisyTk9EYmxqUT09>. 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 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 Commission meeting on one or both days by dialing 1 (253) 215-8782. When prompted enter the meeting ID (814 1999 6411) and passcode (137523). To prevent background noise all callers will be muted upon joining the meeting. *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 agenda item as close to the 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 agenda item should join 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 webpage. To access staff reports, click on the on this link:

[https://apps.wrd.state.or.us/apps/misc/wrd\\_notice\\_view/Default.aspx?notice\\_id=41](https://apps.wrd.state.or.us/apps/misc/wrd_notice_view/Default.aspx?notice_id=41).

**COMMISSION MEETING: Thursday, February 23, 2023 (10:00 AM – 4:30 PM)**

View via YouTube Livestream: <https://youtube.com/live/G0Mrz-lhg-4?feature=share>

**A. Project Implementation Update (10:00 AM – 11:30 AM)**

Jake Johnstone, Interim Field Services Division Administrator; Brad Melendy, Information Services Manager; and Julie Wagner, Records Officer, will provide an update on the 2021-2023 biennium work priorities and projects for their respective section. *This is an informational report.*

**B. HB 5006 State-Supported Regional Water Planning and Management Workgroup (11:30 AM – 12:00 PM)**

Lili Prael, Regional Planning Coordinator, and Robin Harkless, Associate Director, Oregon Consensus, will provide an overview of the process, report, and outcomes from the State-Supported Regional Planning and Management Workgroup. *This is an informational report.*

**LUNCH BREAK (12:00 PM – 1:00 PM)**

**C. Deschutes Basin Assessment and Workplan (1:00 PM – 1:30 PM)**

Emelie McKain, Complex Basin Coordinator, will give an update on the Deschutes Basin situation assessment and next steps. *This is an informational report.*

**D. Update on Cannabis Industry Enforcement (1:30 PM – 2:15 PM)**

Justin Dillon, Southwest Region Manager, and Scott Prose, Team Lead Assistant Watermaster, will provide an update on Senate Bill 5561 cannabis-related enforcement activities during 2022, staff updates, and future plans for cannabis enforcement in 2023. *This is an informational report.*

**E. Update on OAR Chapter 690 – Division 10 (2:15 PM – 2:45 PM)**

Kelly Mainz, Water Policy Analyst, will provide an update on Division 10 rules and the process to designate critical groundwater areas, currently under review. *This is an informational report.*

**BREAK (2:45 PM – 3:00 PM)**

**F. Update on Well Construction Rulemaking (3:00 PM – 3:30 PM)**

Kris Byrd, Well Construction Section Manager, and Laura Hartt, Water Policy Analyst, will provide an update on the well construction rulemaking in progress to implement sections of House Bill 2145 (2021), House Bill 3030 and Senate Bill 688 (2019), and House Bill 4061 (2022). *This is an informational report.*

**G. Update on Integrated Water Resource Planning in the Walla Walla Basin**

**(3:30 PM – 4:30 PM)**

Chris Kowitz, North Central Region Manager, will provide an update on water planning efforts currently underway in the Walla Walla Basin. Tom Tebb, Director, Office of Columbia River, Washington Department of Ecology; Brook Beeler, Director, Eastern Region, Washington Department of Ecology; and Anton Chiono, Habitat Conservation Project Leader, Confederated Tribes of the Umatilla Indian Reservation, will share their perspectives on integrated water resource planning in the Walla Walla Basin. *This is an informational report.*

**COMMISSION MEETING: Friday, February 24, 2023 (8:30 AM – 11:50 AM)**

View via YouTube Livestream: <https://youtube.com/live/RPvbe0w3m2k?feature=share>

**GENERAL BUSINESS (8:30 AM – 9:35 AM)**

**H. Approval of Minutes (8:30 AM – 8:35 AM)**

The minutes of the November 17-18, 2022 meeting will be presented for Commission approval. *The Commission will be asked to approve the minutes.*

**I. Director’s Report (8:35 AM – 9:05 AM)**

Doug Woodcock, Acting Director, will provide an update on Department business and late-breaking issues. *This is an informational report.*

**J. Commissioner Comments (9:05 AM – 9:35 AM)**

Commissioners will report on their recent activities, share information, and comment on a variety of water resource topics.

**K. IWRS Progress Report and Outreach & Engagement Planning (9:35 AM – 10:20 AM)**

Crystal Grinnell, IWRS Specialist, will provide a summary of the findings from the 2017-2022 IWRS Progress Report and provide a status update regarding outreach and engagement planning for developing the IWRS 5-year update. Wendy Willis, Director, Oregon’s Kitchen Table, will provide additional details regarding the IWRS outreach and engagement process. *This is an informational report.*

**BREAK (10:20 AM – 10:35 AM)**

**L. Legislative and Budget Update (10:35 AM – 11:50 AM)**

Bryn Hudson, Legislative Coordinator, and Danielle Gonzalez, Policy Manager, will provide an overview of the Department’s 2023-2025 Governor’s Recommended Budget as well as ongoing efforts during the 2023 Legislative Session. *This is an informational report.*

**M. Public Comment and Other Issues (Approximately 11:50 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.

Oregon's Public Meetings Law requires disclosure that Commission members may meet for meals on Thursday, February 23 and Friday, February 24.

- \* **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. Please 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. To ensure full consideration by the Commission, written comments should be sent to Nirvana Cook via email by 5:00 PM on Tuesday, February 21. **Please note Commissioners may not have sufficient time to review materials received after the recommended deadline.** A confirmation email will be sent. If you do not receive a confirmation email or have questions about submission of written public comment, please contact Nirvana Cook (contact information below).

**Oral Comments:** Oral 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 an oral comment, you must submit an oral public comment request form. For those joining virtually or by phone, electronic public comment request forms can be found on the [Commission's webpage](#). Alternatively, you may notify Nirvana Cook by phone or email (contact information below). **The Commission will do its best to accommodate electronic requests received after the start of the meeting, however it may not be feasible.** For those joining in-person, public comment request forms will be provided at the meeting.

**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, 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.z.cook@water.oregon.gov](mailto:nirvana.z.cook@water.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

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Salem, OR 97301-1271  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

DIRECTIONS TO THE MEETING

**From I-5**

Take Exit 256 (Market Street). Heading west on Market, go approximately two miles to Summer Street. Turn left onto Summer Street. Go less than half a mile to the Department of State Lands (DSL) building. The DSL building is located on the west side of Summer Street, across from the Department of Veteran's Affairs building.

**PARKING**

Parking is located along Summer Street (metered).

Parking is also available in the [Yellow Lot](#) which is located two blocks south of the DSL building. Please note there is a fee to park in the Yellow Lot.