



Oregon

Tina Kotek, Governor

Water Resources Department

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OREGON WATER RESOURCES COMMISSION

SECOND REVISED Meeting Agenda

September 28 - 29, 2023

Harney County Community Center, 478 N Broadway Ave, Burns, OR 97720

And via Zoom Videoconference

COMMISSION SITE VISITS AND TOUR: THURSDAY, SEPTEMBER 28, 2023 8:00 AM - 12:30 PM

The Commission will depart from the Harney County Community Center at 8:00 am. The Commission is tentatively scheduled to travel to Fivemile Dam, Owens Hay in Crane, Malheur Wildlife Refuge, and Eastern Oregon Agricultural Research Center. Topics will include but are not limited to water resources, uses and management in the area, Harney groundwater challenges and science, Agrimet and Eddy CoVariance technology, wildlife habitat and restoration activities at the Refuge, and an overview of work and research conducted by the Eastern Oregon Agricultural Research Center. The Commission will return to Harney Community Center by 12:30 pm.

The public is invited to attend the tour in-person. No virtual option is available for the tour. Individuals attending the tour should be prepared for sun or rain, bringing comfortable closed-toed shoes or boots, water, a hat, sunscreen, jacket, and umbrella or rain jacket. If you wish to join the tour, please make your own transportation arrangements. Please contact Mindy Lane at mindy.j.lane@water.oregon.gov or (503) 930-4303 by close of business, Monday, September 25, if you plan to attend. A more detailed itinerary will be provided to participants once logistics are finalized.

LUNCH BREAK (12:30 PM - 1:30 PM)

COMMISSION MEETING: THURSDAY, SEPTEMBER 28, 2023 1:30 PM - 5:00 PM

- A. Overview of the Harney Basin and Agency Work in the Basin – 1:30 pm - 2:15 pm**
Ivan Gall, Acting Deputy Director, Jason Spriet, East Region Manager, Donald Swindlehurst, District 10 Watermaster, and Alexandria Scott, East Region Engagement Coordinator will provide an overview of water conditions and distribution of water in the Harney Basin, as well as Department activities in the basin. *This is an informational report.*
- B. Groundwater Allocation Rulemaking Update – 2:15 pm – 3:45 pm**
Annette Liebe, Technical Services Division Administrator, and Justin Iverson, Groundwater Section Manager, will present an update of the Groundwater Allocation Rulemaking process. *This is an informational report.*

BREAK (3:45 PM – 4:00 PM)

- C. * Request for Adoption of Division 10 Rules: Defining the Processes to Designate a Critical Groundwater Area and Limit Groundwater Use – 4:00 pm – 5:00 pm**
Ivan Gall, Acting Deputy Director, Kelly Mainz, Water Policy Analyst, and Tim Seymour, Assistant Groundwater Manager will present the proposed Division 10 rules to the Commission for adoption. *The Commission will be asked to consider adoption of the proposed rules.*

COMMISSION MEETING: FRIDAY, SEPTEMBER 29, 2023 8:00 AM - 12:00 PM

- D. Analysis of Extreme Atmospheric River Precipitation Potential for Oregon – 8:00 am – 8:30 am**

Tony Janicek, State Engineer and Dam Safety Program Manager; Dave Curtis, Senior Vice President at WEST Consultants; and Luciana Kindl Da Cunha, Vice President at WEST Consultants, will present on the analysis work this is in progress on extreme atmospheric river precipitation in Oregon. *This is an informational report.*

- F. Integrated Water Resources Strategy (IWRS) Work Session – 8:30 am – 10:00 am**

Crystal Grinnell, IWRS Specialist, will present the findings from the public outreach and engagement efforts throughout 2023. Ms. Grinnell will then engage the Commission in a work session to discuss updates to the next IWRS. *The Commission will be asked to participate in the work session discussion.*

BREAK (10:00 AM – 10:15 AM)

- G. Budget and Legislative Update – 10:15 am - 10:45 am**

Bryn Hudson, Legislative Coordinator, and Lisa Snyder, Administrative Services Division Administrator, and Danielle Gonzalez, Policy Section Manager, will provide an update of the conclusion of the 2023 legislative session and the 2023-2025 Legislatively Adopted Budget. *This is an informational report.*

- H. Director's Report – 10:45 am - 11:05 am**

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

- I. Commission Delegation of Authority to the Director – 11:05 am - 11:20 am**

Acting Director Doug Woodcock and YoungWoo Joh, Oregon Department of Justice Senior Assistant Attorney General, will present a request for a delegation of authority so the Director may respond on behalf of the Commission to DOJ in matters of litigation where the Commission is a named party. *The Commission will be asked to consider approval of the delegation.*

J. Commissioner Comments – 11:20 am - 11:50 am

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

K. Approval of Minutes – 11:50 am - 11:55 am

The minutes of the June 2023 meeting will be presented for Commission approval. *The Commission will be asked to approve the minutes.*

L. Public Comment and Other Issues (Approximately 11:55 am)

MEETING LOCATION AND PROCEDURES

Meeting Format: Members of the public may participate or observe the meeting virtually or in-person.

In-Person Meeting Location: The Commission meeting will be held at the Harney Community Center in Burns at 478 N Broadway Ave, Burns, OR 97720.

Virtual Meeting Information – September 28, 2023:

Observe By YouTube: https://youtube.com/live/R4BZoFT_L8I?feature=share

Attend By Zoom:

<https://us02web.zoom.us/j/87036786840?pwd=REtKT2oyektkM1VCV2hpMIFGR1dtdz09>

Attend By Phone: (253) 215-8782 Meeting ID: 870 3678 6840 Passcode: 118318

Virtual Meeting Information – September 29, 2023:

Observe By YouTube: <https://youtube.com/live/ymGOgjQUVkJQ?feature=share>

Attend By Zoom:

<https://us02web.zoom.us/j/88924837178?pwd=Nko4WHFNZGtpbVIFTVZMVWRzaDVBUT09>

Attend By Phone: (253) 215-8782 Meeting ID: 889 2483 7178 Passcode: 701078

Timing of Agenda Items: 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. 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.

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

*** 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 the staff contact below via email by 5:00 PM on Tuesday, September 26, 2023. *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 follow up with the staff contact 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 electronically submit an Oral Public Comment Request Form or notify the staff contact below by phone or email prior to the start of the meeting. *The Commission will do its best to accommodate requests received after the start of the meeting, however, please note it may not be feasible.* Oral Public Comment Request Forms can be found on the [Commission's webpage](#).

Executive Session and Meals: 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 Commissioner will make a public announcement and explain the necessary procedures. Oregon's Public Meetings Law requires disclosure that Commission members may meet for meals during the days prior to and days of the meeting.

Special Accommodations: If special accommodations are needed, please advise staff contact 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 Mindy Lane at mindy.j.lane@water.oregon.gov or (503) 930-4303.

Oregon Water Resources Commission

Commissioner	City of Residence	Region	Term Expires
Meg Reeves, Chair	Corvallis	West Side at Large	2024
Eric Quaempts, Vice Chair	Adams	North Central Region	2025
Jan Lee-Weinberg	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

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