



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

www.Oregon.gov/OWRD

Water Resources Commission Minutes

Thursday, September 28, 2023

Hybrid, Burns, Oregon

(V)=Virtual Attendance

Attendees

Commissioners

Eric Quaempts
Kathy Kihara
Joe Moll
Meg Reeves
Julie Smitherman
Jan Lee Weinberg (V)
Woody Wolfe

OWRD Staff

Doug Woodcock (V)
Racquel Rancier
Ivan Gall
Danielle Gonzalez
Mindy Lane
Annette Liebe
Justin Iverson
Lisa Snyder
Jason Spriet
Carolyn Sufit
Grant Nasset
Dwight French
Timothy Seymour
Alexandria Scott
Ben Scandella (V)
Kim Fritz-Ogren (V)
Kristi Seyfried (V)
Laura Hartt (V)

Curt Blackburn
Jake Blackburn
Barbara Cannady
Breanna O'Connor
Kimberley Priestley
Anna Rankin
Laurie O'Connor
Mike Buettner
Josh Weckling
Richard Roy
Lisa Brown (V)
Glenn Barrett
Kristen Shelman
Jeff Stone (V)
Caylin Barter (V)
Konrad Fisher (V)
Adam Sussman (V)
Christopher Hall (V)
Delia Sanchez (V)
Keith Witcosky (V)
Ken Yates (V)
Willa Powless (V)
Commissioner Phil
Chang (V)
Adam Frederick (V)

Others

Jessie Ratcliffe, DOJ (V)
Greg Kupillas
Malia Kupillas
Mario Petrilli
Pat Widenoja
Roger Widenoja
Emily Cureton-Cook, OPB
Ben McCanna
Mayor Ed Fitch
Andrew Donaldson
Stephanie Tidwell (V)
Karen Moon
Ken Bierly
Claire Ruffing (V)
Brock Nation (V)
Nirvana Cook (V)
Caylin Barter (V)
Tony DeBone (V)
Karen Lewotsky (V)
Patty Dorroh (V)
Holly Mondo (V)
Maria Ramirez (V)
Jerry (no last name) (V)

Written material submitted at this meeting is part of the official record and is on file at the Oregon Water Resources Department, 725 Summer Street NE, Suite A, Salem, Oregon 97301-1271.

Agendas, minutes, PowerPoint presentations, staff reports, and audio/video files are available on the Department's [website](#).

Commission Site Visits & Tour

The Commission departed from the Harney County Community Center around 8:00 am. The

Commission traveled to Fivemile Dam, Owens Hay in Crane, and Eastern Oregon Agricultural Research Center. Topics included 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 Malheur Wildlife Refuge, and an overview of work and research conducted by the Eastern Oregon Agricultural Research Center.

Commission Meeting

Chair Reeves convened the meeting. Reeves stated that she has been the Chair for five-and-a-half years and has been wanting to step back. It was announced that Governor Kotek appointed Commissioner Quaempts as the new Chair of the Commission. Chair Quaempts assumed responsibility for the meeting and asked for staff and audience to introduce themselves.

<https://www.youtube.com/live/ebCGTW2gM4M?si=nedwY7amc38wSnuc&t=6m15s>

A. Overview of the Harney Basin and Agency Work in the Basin

Ivan Gall, Acting Deputy Director, Jason Spriet, East Region Manager, and Alexandria Scott, East Region Engagement Coordinator provided an overview of water conditions and distribution of water in the Harney Basin, as well as Department activities in the basin.

<https://www.youtube.com/live/ebCGTW2gM4M?si=nedwY7amc38wSnuc&t=16m10s>

B. Groundwater Allocation Rulemaking Update

Acting Director Woodcock gave opening comments for agenda item B.

<https://www.youtube.com/live/ebCGTW2gM4M?si=nedwY7amc38wSnuc&t=55m38s>

Annette Liebe, Technical Services Division Administrator, and Justin Iverson, Groundwater Section Manager, presented an update of the Groundwater Allocation Rulemaking process.

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=58m30s

Public Comment: Mayor Fitch, City of Redmond

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=1h42m40s

Public Comment: Mike Buettner, Central Oregon Cities Organization

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=1h51m52s

Public Comment: Greg Kupillas, Pacific Hydrogeology

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h0m26s

Public Comment: Malia Kupillas, Pacific Hydrogeology

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h5m5s

Public Comment: Laurie O'Connor

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h12m36s

Public Comment: Glenn Barrett

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h17m50s

Public Comment: Richard Roy, Oregon Council of Trout Unlimited

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h20m52s

Public Comment: Stephanie Tidwell, Water Climate Trust

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h24m25s

Public Comment: Claire Ruffing, Nature Conservancy

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&T=2h25m50s

Public Comment: Caylin Barter, Wild Salmon Center

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h29m8s

Public Comment: Jeff Stone Oregon Association of Nurseries

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h33m10s

Public Comment: Lisa Brown, WaterWatch

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h37m3s

Public Comment: Brock Nation, Oregon Realtors

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h41m30s

Public Comment: Konrad Fisher, Water Climate Trust

https://www.youtube.com/live/ebCGTW2gM4M?si=QR5IUIboc1nE_seh&t=2h45m18s

C. *Request for Adoption of Division 10 Rules: Defining the Processes to Designate a Critical Groundwater Area and Limit Groundwater Use

Acting Director Woodcock provided opening comments for Agenda Item C.

<https://www.youtube.com/live/ebCGTW2gM4M?si=IDOVokuiRaPcylop&t=3h6m10s>

Ivan Gall, Acting Deputy Director, Kelly Mainz, Water Policy Analyst, and Tim Seymour, Assistant Groundwater Section Manager presented the proposed Division 10 rules to the Commission for adoption.

<https://www.youtube.com/live/ebCGTW2gM4M?si=IDOVokuiRaPcylop&t=3h8m15s>

Commissioner Reeves moved to adopt alternative 2 as presented:

“The Acting Director recommends alternative 2, adopting modified final proposed rules **striking section 690-010-0130-(3)(d), changing 690-010-0190(2) to:** “Notice of Party Status. Persons who hold a groundwater right whose groundwater use will may be limited and exempt users whose groundwater use will may be limited as described in the Notice of Proposed Corrective Control Orders will be deemed to have been named parties to the,” and **changing 690-010-0190(6) to 690-010-0190(5).**”

Commissioner Kihara seconded the motion. Votes in favor: Commissioners Wolfe, Moll, Kihara, Chair Quaempts, Commissioners Smitherman and Weinberg. Motion passed unanimously.

<https://www.youtube.com/live/ebCGTW2gM4M?si=8WViQouRPzwWZaVr&t=3h58m52s>

Public Comment: Ken Bierly

<https://www.youtube.com/live/ebCGTW2gM4M?si=kBbyrRqbxuQDh6RB&t=4h1m46s>

Public Comment: Stephanie Tidwell

<https://www.youtube.com/live/ebCGTW2gM4M?si=kBbyrRqbxuQDh6RB&t=4h6m5s>

Public Comment: Chris Hall

<https://www.youtube.com/live/ebCGTW2gM4M?si=kBbyrRqbxuQDh6RB&t=4h6m54s>

Chair Quaempts adjourned the meeting for the day.

**Water Resources Commission Minutes
Friday, September 29, 2023
Hybrid, Burns, Oregon**

**(V)=Virtual Attendance
Attendees**

Commissioners	OWRD Staff		Others
Eric Quaempts	Doug Woodcock (V)	John Short	Kimberley Priestley
Kathy Kihara	Racquel Rancier	April Snell (V)	Christopher Hall (V)
Joe Moll	Ivan Gall	Barbara Cannady	Chris Bahner (V)
Meg Reeves	Kristi Seyfried (V)	Karen Lewotsky (V)	Ed Tomlinson (V)
Julie Smitherman	Mindy Lane	Mario Petrilli	Hans Hadley (V)
Jan Lee Weinberg (V)	Annette Liebe	Ben McCanna	John England (V)
Woody Wolfe	Justin Iverson	Tim Henkle (V)	Karen Lewotsky (V)
	Danielle Gonzalez	Karen Moon	Kelly Mahoney (V)
	Ben Scandella (V)	Paul DeMaggio (V)	Luciana Cunha (V)
	Lisa Snyder	Ben Choat (V)	David Curtis (V)
	Jason Spriet	K. Griebenow (V)	Caylin Barter (V)
	Carolyn Sufit	Tim Diedrich (V)	Claire Ruffing (V)
	Tony Janicek (V)	Kora Mousseaux (V)	Adam Sussman (V)
	Dwight French	Elise Legarth (V)	YoungWoo Joh, DOJ (V)
	Timothy Seymour	Jackie Dingfelder (V)	Owen McMurtrey (V)
	Byrn Hudson (V)	Mike Buettner (V)	Matthew (no last name)
		Emilie (no last name)	Commissioner Phil Chang (V)

Chair Quaempts called the meeting to order.

<https://www.youtube.com/live/dwUm44AEAiE?si=IhLdDtMoMXvDNej9&t=3m58s>

D. Analysis of Extreme Atmospheric River Precipitation Potential for Oregon

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, presented on the analysis work that is in progress on extreme atmospheric river precipitation in Oregon.

https://www.youtube.com/live/dwUm44AEAiE?si=TQwCT_10lQ3Dkw0w&t=6m4s

F. Integrated Water Resources Strategy (IWRS) Work Session

Crystal Grinnell, IWRS Specialist, presented the findings from the public outreach and engagement efforts throughout 2023 and engaged the Commission in a discussion about the framework and direction of the document update.

https://www.youtube.com/live/dwUm44AEAiE?si=TQwCT_10lQ3Dkw0w&t=33m58s

Public comment: Kimberley Priestley

https://www.youtube.com/live/dwUm44AEAiE?si=_ApsBesFSP5ZJ-SR&t=1h52m28s

Public comment: Chris Hall

https://www.youtube.com/live/dwUm44AEAiE?si=_ApsBesFSP5ZJ-SR&t=2h5m40s

G. Budget and Legislative Update

Bryn Hudson, Legislative Coordinator, and Lisa Snyder, Administrative Services Division Administrator, and Danielle Gonzalez, Policy Section Manager, provided an overview of the the 2023 legislative session and the 2023-2025 Legislatively Adopted Budget.

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=2h23m10s>

H. Director’s Report

Doug Woodcock, Acting Director, provided an update on Department business and late-breaking issues.

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=2h50m54s>

I. Commission Delegation of Authority to the Director

Acting Director Doug Woodcock and YoungWoo Joh, Oregon Department of Justice Senior Assistant Attorney General, presented 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.

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=3h9m41s>

Commissioner Moll moved to adopt alternative 1 as presented to “Delegate the authority to the Director as specified in Attachment 1 to make decisions for the Commission when the Commission is named as a defendant in litigation.”

Commissioner Smitherman seconded the motion. Votes in favor: Commissioners Weinberg, Smitherman, Reeves, Chair Quaempts, Commissioners Kihara, Moll, and Wolfe. Motion passed unanimously.

J. Commissioner Comments

Commissioners reported on their recent activities, shared information, and commented on a variety of water resource topics.

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=3h21m12s>

K. Approval of Minutes

The minutes of the June 2023 meeting were presented for Commission approval. Commissioner Weinberg requested a correction to her last name in the minutes from “Lee-Weinberg” to “Weinberg.”

Commissioner Reeves moved to adopt the June minutes as presented, with the correction of Commissioner Weinberg’s name. Commissioner Kihara seconded the motion. Votes in favor: Commissioners Weinberg, Smitherman, Reeves, Chair Quaempts, Commissioners Kihara, Moll, and Wolfe. Motion passed unanimously.

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=3h57m3s>

L. Public Comment and Other Issues

Public Comment: Commissioner Phil Chang, Deschutes County

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=3h53m32s>

Public Comment: John Short, GSI Water Solutions

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=3h59m22s>

Public Comment: Barbara Cannady

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=4h8m8s>

Public Comment: Kimberley Priestley, WaterWatch

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=4h22m33s>

Public Comment: Chris Hall

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=4h24m45s>

Public Comment: Karen Lewotsky

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=4h29m36s>

Public Comment: Mario Petrilli

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=4h32m15s>

Public Comment: April Snell

<https://www.youtube.com/live/dwUm44AEAiE?si=Pu2UYj1Z2rEtPeau&t=4h47m20s>

Chair Quaempts adjourned the meeting.

Submitted by Mindy Lane, Executive Support, Director's Office.