

WATER RESOURCES COMMISSION

WORK SESSION

SALEM

MARCH 12, 1992

MINUTES

Commission members present:

Lorna Stickel  
Cliff Bentz  
Hadley Akins  
Jim Howland  
Mike Jewett  
Roger Bachman  
Anita Johnson

Others:

Marjo Nelson  
Karen Russell  
Bob Hunter  
Anne Perrault  
Bob Hamilton  
Bruce Buckmaster  
Tory Walker  
Dave Newton  
Kip Lombard  
David Moon  
Audrey Simmons  
Jim Myron  
Stephanie Burchfield  
Al Mirati  
Jan Boettcher

Water Resources staff:

Bill Young  
Jan Shaw  
Doug Parrow  
Becky Kreag  
Steve Applegate  
Steve Sanders  
Weisha Mize  
Beth Patrino  
Randy Moore  
John Borden  
Reed Marbut  
Darlene Castle  
Bud Bartels  
Doug Woodcock  
Tom Kline  
Randy Selig  
Mike Mattick

The staff reports presented at this meeting, which contain the Director's recommendations mentioned in these minutes, are on file in the Office of the Director of the Water Resources Department, 3850 Portland Road, NE, Salem, Oregon. Written information submitted at this meeting is hereby made a part of this record and is on file at the above address. Audiocassette recording tapes of the meeting are also on file in the Water Resources Department office.

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1. STATUS REPORT: GRANTS PASS IRRIGATION DISTRICT WATER  
MANAGEMENT STUDY

In 1990, a permit was issued to Grants Pass Irrigation District (GPID) to allow temporarily the use of water in excess of that allowed under the district's certificated right. The permit requires the district to perform a study of its system to (1) identify feasible improvements in the facilities and management of water; (2) identify areas in the district which could be better served from other sources; and (3) document how much water is needed to meet the district's requirements, given improvements and changes in service area. The permit also requires formation of an advisory committee to assist in the water management study.

The district is required to submit annual progress reports on the study to the Commission. The district submitted progress reports to the Commission in March 1990 and April 1991. Since then, work on the study has continued.

The Department and GPID have discussed methods for using information developed during the study to reduce diversions of water during the coming irrigation season. Given the uncertainty in the future configuration of the district, these discussions have focused primarily on improved water management, rather than on major capital improvements. The district has developed an interim conservation plan for the 1992 irrigation season.

Director's Recommendation:

This was a status report only and no Commission action was required. However, the results of future work on the study will depend on a number of policy choices. The staff asked for any guidance on these policies.

Dave Newton, Dave Newton Associates, reviewed the activities and conclusions of the subcommittee. He said that the 1992 irrigation season should see some significant water savings in the district. Several conservation measures will be implemented, he said, giving the district an opportunity to identify which measures will prove most practical, effective, and beneficial, and to what extent these measures can be employed in long-range planning for the district. In the process, a flow reduction of about 20 cfs is expected by the end of the season. This expected reduction is subject to possible limitations encountered during the implementation of the plan.

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The greatest benefit derived from the 1992 conservation plan will not be a shortsighted one-year water savings, said Newton, but a greater understanding of beneficial, practical and effective ways to save water over the life of the Grants Pass Irrigation District.

The Commission discussed this matter at length but took no formal action.

At this point in the work session, the Commission adjourned into an Executive Session for the purpose of discussing current litigation.

After the group reconvened in the general work session, Chair Stickel left the meeting and Vice-chair Cliff Bentz presided.

2. REVIEW OF DRAFT AMENDMENTS TO WATER RIGHT APPLICATION PROCESSING RULES IN PREPARATION FOR RULEMAKING HEARING ON MARCH 26, 1992 (OAR 690-01, 02, 03 (NEW), 11, 75 (REPEAL), AND 77).

In the fall of 1990, the Department received a letter from Karl Anuta, Northwest Environmental Defense Center (NEDC), expressing concern with ambiguities in the wording of Commission rules governing the procedure for water right application processing (Divisions 11 and 77). The Field Operations Division (FOD) decided to undertake reevaluation of these rule divisions. The initial reevaluation revealed a need to incorporate related rule Divisions 01, 02 and 75 within the scope of this effort.

A working task force was established which included representatives from a number of interest groups. As a result of suggestions by task force members, staff developed significant revisions to the water use application review process.

The task force participated in four study sessions. Pursuant to comments of task force members, the application review processes were re-ordered to facilitate informed participation by individuals and by special interest groups who wish to present testimony about new water use applications.

On advice of counsel, the Department formulated a revised application procedure which included a clearly delineated comment, objection and protest process, and more precise principles concerning how the Commission delegates certain decisions to the

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Director. In addition, the FOD staff, with guidance from counsel, has proposed public interest review standards. The Department's goal is to develop an application review process that is precise, efficient and predictable.

Pursuant to recommendations of the Director and the Commission, as a result of involvement of task force members and interest groups, the agency has developed an alternative dispute resolution procedure (ADR). The goal of the ADR process is to facilitate dialogue between the applicant and interested parties or groups that may oppose or be concerned about the applicant's proposed water use. The ADR process is entirely voluntary. Department personnel will be available to serve as facilitator if requested by the parties. The proposed ADR process is set forth in OAR 690-11-180.

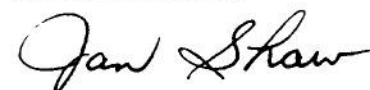
Director's Recommendation:

The staff recommended that Commission comments be incorporated into the draft rules when testimony received at the March 26 rulemaking hearing was reviewed.

The Commission discussed the above topic at length but took no formal action.

There being no further business, the work session was adjourned.

Respectfully submitted,



Jan Shaw  
Commission Assistant