

Oregon Water Resources Commission Work Session  
February 18, 1999  
Salem

Members

Nancy Leonard  
Mike Jewett  
Jim Nakano  
Dan Thorndike

Staff

Geoff Huntington  
Al Cook  
Dwight French  
Weston Becker  
Dave Jarrett  
Gary Ball  
John Wynn  
Doug Parrow  
Rebecca Geisen  
Lara Burgel  
Bob Rice  
Diane Addicott  
Renee Moulun

Others

Jerry Franke  
Kimberley Priestley  
Todd Heidgerken  
Jim Howland

Written material submitted at this work session is part of the official record and on file at the Oregon Water Resources Department, 158 12<sup>th</sup> Street NE, Salem, Oregon 97310. Audiotapes of the work session are on file at the same address.

Chair Leonard opened the meeting with introductions of the Commission members. Geoff Huntington, Deputy Director, introduced former-Commissioner Jim Howland from Corvallis and Rosemary Furfey, recently nominated by the Governor to serve on the Commission.

**1. Strategic Plan**

Geoff Huntington, Deputy Director, reviewed the 1999-2001 Strategic Plan with the Commissioners and responded to their questions and comments. The Plan highlights strategies for water management in the coming biennium and describes proposed legislation and budget packages. Huntington said he will be working with staff to develop work plans for each agency division's contribution toward commitments set forth in the Strategic Plan.

## 2. Efficient Water Use Discussion

Pam Wiley had planned on speaking to the Commission regarding her water use efficiency study at this work session but was unable to attend at the last minute. Geoff Huntington, Deputy Director; Al Cook, Southwest Region Manager; and Dave Jarrett, Enforcement Manager, led a discussion on water use efficiency.

Huntington said in both the 1997-99 Strategic Plan and the Oregon Plan for Salmon and Watersheds, the department committed itself to improving enforcement against waste and to promoting efficient water use. He explained that with grant assistance from the Northwest Water Law and Policy Project, an independent facilitator, Pam Wiley, was retained to interview water users and other interest groups about their perceptions of water use efficiency and wasteful practices. In May 1998 the department received Ms. Wiley's report that contained several recommendations. Among those recommendations was a proposal that programs promoting efficient water use be separated from regulatory efforts to reduce waste. The 1999-2001 Strategic Plan articulates that separation.

Huntington said staff believe that unlike wasteful practices which subject the water user to regulation, improved efficiency should be sought as part of a basin-wide effort to provide incentives for voluntary improvement of water use practices. Local goals, rather than statewide standards, are more likely to instill effective new practices and community attitudes about efficient water use. The department plans to initiate two pilot projects in partnership with interested watershed councils.

As a result of the Wiley report, regional managers developed new guidance on enforcing against waste that is now included in the department's "Field Enforcement Manual." The guidance is presented as a framework to support field staff and to provide uniformity as professional judgment is exercised to regulate wasteful practices in different parts of the state.

Al Cook spoke on the efficiency improvement pilot program with Little Butte Creek Watershed Council. He reviewed with Commissioners the draft work plan staff expectations included in Attachment 2 of the staff report. Lu Anthony, Coordinator for Little Butte Creek Watershed Council, is very enthusiastic about participating in this pilot program. Cook and Thorndike attended a meeting of the Watershed Council Streamflow Subcommittee on January 28. Cook said the next step will be to review the work plan with the Watershed Council and determine whether a neutral facilitator is needed to develop agreement on the plan.

After much discussion, Jewett asked that Pam Wiley and Lu Anthony be invited to the April Commission meeting. Huntington agreed to invite them.

Dave Jarrett discussed the section on waste in the Field Enforcement Manual (Attachment 3 of the staff report). This section refers to waste within the limits of a water right, but perhaps outside the beneficial use measure. The document covers some tools available for enforcing against waste. He said initial assessments of waste are based on the exercise of best professional judgment on a case-by-case basis. Determinations must be highly fact-specific. Jarrett gave the Commissioners examples of various situations in which watermasters must intervene and how they would do so.

There being no further business to discuss, the meeting adjourned so everyone could take part in a celebration of the 90<sup>th</sup> anniversary of the Oregon Water Code.

Respectfully submitted,



Diane K. Addicott  
Commission Assistant

M:min