



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

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### MEMORANDUM

**TO:** Water Resources Commission

**FROM:** Phillip C. Ward, Director

**SUBJECT:** Work Session Item I, May 31, 2007  
Water Resources Commission Work Session

### Connections between Water and Land Use

#### I. Issue Statement

Land use and water management are integrally related. As water supplies become more limited, this connection has become increasingly important. As a result, the Department is interested in opportunities to build relationships and to enhance coordination. This report provides an overview of the connection between water and land use.

#### II. Discussion

##### Existing Coordination

The connection between land use and water management is defined under law and results in two-way coordination between the Department and local governments. The Department obtains information from local governments to ensure that its actions affecting land use comply with the statewide planning goals and are compatible with local comprehensive plans to the greatest extent possible. The Department also provides information about the water resource to local governments.

The Department follows existing statutes, rules and its State Agency Coordination Program in order to comply with land use requirements. To this end, every applicant for new water right, water right transfer, and multiple other water processes is required to show that the proposed use is consistent with land use regulations. The Department will not take final actions on these types of processes without demonstrated land use approval.

Statewide planning goals require local government's comprehensive plans to include inventories of, and mechanisms to protect, important local water resources. When requested, Department staff provide information about the water resource, water laws, water availability and designations of restricted areas to assist local governments consider water issues in their land use planning. The Department also participates in local governments' periodic review processes and amendment of comprehensive plans. Finally, the agency reviews and comments on local project proposals.

### Water Supply Planning

Water supply planning also involves coordination between the Department and local land use planning entities. Under law, local governments conduct land use planning. The law also requires the Water Resources Commission to plan for water use through basin planning. This process is coordinated with local governments to ensure compatibility with local comprehensive plans, but the law provides that the Commission has ultimate authority over water. The Department continues to seek ways to enhance coordinated planning. For example, the Water Supply and Conservation Initiative includes matching funds for local community water planning. The Department has also embarked on a county outreach project to learn more about county water supply planning efforts and how the Department can assist those endeavors.

### Ballot Measure 37

The anticipated increase in rural residential development as a result of Ballot Measure 37 has increased the focus on the interrelationship between land use planning and water management. Landowners with neighboring Measure 37 claims have expressed concern about impacts of new wells on their existing domestic wells. Since these developments are expected to largely rely on wells that are exempt from permitting requirements, there is no process for ensuring consistency with local comprehensive plans, or reviewing for water availability or injury to existing water uses. Other impacts on the Department from Measure 37 include an increased need for water data and the potential for increased regulation by the Department.

### **III. Summary**

Due to the connection between land use and water management, there has been an extensive history of coordination between the Department and local government. The Department has provided information to local governments, and local governments have provided land use approvals for numerous Department approval processes. The Department continues to seek ways to increase coordination with counties and other local government entities.

### **IV. Recommendation**

This is an informational report. No Commission action is required.

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