

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE COMMISSION

Oregon Water Resources Commission Meeting  
November 10, 1999  
Silver Falls Conference Center

Members

Mike Jewett  
Jim Nakano  
Dan Thorndike  
Ron Nelson  
John Frewing

Staff

Martha Pagel  
Tom Byler  
Meg Reeves  
Tom Paul  
Lara Burgel  
Bob Main  
Al Cook  
Lloyd Van Gordon  
Barry Norris  
Fred Lissner  
Dwight French  
Diane Addicott

Others

Roger Bachman  
Ed Henricks  
Karen Russell  
Jerry Schmidt  
David Johns  
Rick Kepler

Written material submitted at this meeting 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 meeting are on file at the same address.

**A. Commission Meeting Minutes**

The minutes from the August 26-27, 1999, meeting were presented to the Commission. Nakano moved to accept the minutes as written; seconded by Frewing. All voted approval.

**B. Commission Comments**

Thorndike said he attended the Oregon Water Law Conference held in Portland November 4 and 5.

## **WRC Meeting Minutes**

**November 10, 1999**

**Page 2**

Frewing said he attended an interesting meeting at the Oregon Graduate Institute a few weeks ago. The Institute is involved in a number of projects, spending money on water resource technology. He encouraged WRD staff to use this organization as a resource.

### **C. Director's Report**

Pagel said staff have been busy working on the open inspection period of the Klamath Basin Adjudication. For the month of October the Adjudication staff opened an office in Klamath Falls so they could be available to interested parties. The Salem office will continue the open inspection period from November 15, 1999, through January 14, 2000. Staff are available to work with people interested in reviewing claim files and related claim evaluation documents.

In September Pagel traveled to Park City, Utah, where she participated in a meeting sponsored by the Western States Water Council. The purpose of the meeting was to look at issues of water quality and quantity interface under new rules of the Environmental Protection Agency.

In October she traveled to Halfway for a community meeting and also spent time with the Eastern Region staff.

In November Pagel attended a quarterly meeting of the Western States Water Council in Austin, Texas. At that meeting the relationship of the Endangered Species Act and the Clean Water Act to Indian Tribal reserved rights and other existing water rights was discussed. Oregon is facing this issue with the Klamath Basin Adjudication.

Pagel asked the Commissioners if they had reviewed the proposed 2000 meeting schedule. All agreed that this schedule would work for them; at the next meeting they will consider locations for those meetings.

### **D. Strategic Planning Discussion**

Pagel led a discussion on Department activities relating to the 1999-2001 Strategic Plan. The strategies of stewardship and supply are the ones most dealt with in the agency. Watershed management has been a growing issue over the years. In the Oregon Plan implementation watershed health is a big priority for the Department; it is important for staff to be available to provide technical assistance and work with local watershed groups. She said instituting the field liaison program this past biennium has helped make that a reality. Water quality and quantity is a growing issue -- obviously water right holders do not want to have their water rights jeopardized by regulatory actions. But clearly there is a relationship between flows and water quality.

Pagel said Tom Byler would talk in more detail about the Stewardship and Supply Initiative and Senate Bill 93. She did mention that SB 93 had started out as the Stewardship & Supply Program, but was reduced to the formation of a legislative task force to development recommendations for the next legislative session with a limited funding of \$100,000.

Transfers and certificates continue to be backlog areas. Staff are working steadily on transfer applications and have been able to deal with urgent requests as they arise. There is a huge backlog of certificates; funding is needed to hire additional staff to alleviate it. Pagel explained that by its nature certificate processing remains a lower priority since people can continue using their water right without possession of a certificate, unless requesting a change in their right.

Staff continue to make progress on major ground water studies, but more funding would be helpful.

Pagel said that in the last two years Weston Becker and the Information Services staff have made tremendous progress with the Department web site. The information available through the internet has been most helpful to the public. One challenge yet to be met is connecting our water rights information with tax lot information from the counties. With updated information from the counties, Department staff would then be able to identify the current owners of property with water rights.

Watermasters continue to serve local communities by distribution and regulation of water systems, assistance to local governments, protection of the public interest, and distribution of information. Pagel said the field liaison program has made it possible for more staff to work directly with the public.

Funding remains a challenge for the Department. The Measure 66 dedicated Lottery funds to watershed restoration and natural resources programs is helpful — but is not enough. Key activities for the coming biennium will likely include stewardship and supply, continued work on the Oregon Plan, water availability issues, and storage options.

Nelson asked Pagel if the Department's budget requests for the current biennium had included funding for areas of need such as certificate processing and ground water studies. Pagel said those and other projects were included in proposed option packages. However, those proposals were not included in the Governor's Recommended Budget because of other pressing needs for natural resource agencies. Overall, Pagel said the Department has a good track record of receiving funding for high priority needs; in this case, other trade-offs were made in the Governor's Budget.

Frewing said he would like to see the Department and Commission pursue the connection between the changing weather patterns, water availability and storage, and water data collection.

### **E. Stewardship and Supply Initiative**

Tom Byler, Legislation and Rules Coordinator, explained that the Stewardship and Supply Initiative was a Department budget concept introduced to the legislature this past session. This initiative won a lot of support in both Houses of the legislature but did not receive funding. Senate Bill 93 called for creation of a task force to develop policy recommendations on water supply issues and appropriated \$100,000 to the Department to implement the bill and provide task force support. This joint task force is still in the formation process. The Governor, Senate President and House speaker must agree on the appointment of eight of the eleven task force members. Hopefully this group will be ready to begin its work at the start of the new year.

Byler said the charge of the joint task force is to develop legislative recommendations regarding the siting and funding of future water supply projects. The group will be examining current law relating to the state's water supply programs, including storage and conservation programs. They will also evaluate the need for more information to help implement water supply programs. The task force is required to submit initial recommendations to the legislative assembly in 2001, and final recommendations in 2003.

A proposal by the Department is to initiate a pilot project to carry out the objectives of the Stewardship and Supply Initiative in the Deschutes Basin. Byler explained that the proposed pilot project would be developed on a modest scale by existing staff within the Department's current budget. It would benefit the Deschutes Work Group, which needs up-to-date information about water needs and supply in the basin in order to develop its mitigation plan for ground water withdrawals which have the potential to impact scenic waterway flows. Results of this pilot study will hopefully be available to be useful to promote stewardship and supply during the next legislative session.

Bob Main, South Central Region Manager, said the Deschutes Working Group will be using the information gathered by the pilot project and hopes to have their work completed by September 2000.

Another project being considered is the gathering of information on surface water and ground water storage options. Staff plan to organize existing Department materials on surface water storage sites and seek out similar information from federal agencies. They are also developing plans for an assessment of ground water storage opportunities. The report would be structured to help managers and policy decision-makers better understand the regional geology, the relation of surface water availability, and the different authority governing ground water. Byler said that staff are discussing the possibility of entering into a contract with Oregon State University to develop this report.