



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

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## MEMORANDUM

**TO:** Water Resources Commission

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

**SUBJECT:** Agenda Item J, November 19, 2010  
Water Resources Commission Meeting

### **Commission Approval of Appointments to the Groundwater Advisory Committee**

#### **I. Issue Statement**

The nine-member Groundwater Advisory Committee (GWAC) has three members whose terms expire on November 30, 2010. OAR Chapter 690, Division 235 rules describe a process for soliciting candidates. Staff used this process to generate a list of candidates for the three open positions.

#### **II. Background**

The Commission's Groundwater Advisory Committee is appointed and charged with certain duties pursuant to ORS 536.090. These duties include: (1) advice on all matters relating to rules for the development, securing, use, and protection of groundwater; (2) licensing and examination of well constructors; and (3) review of the proposed expenditures of start card fee revenue. The Committee consists of nine members who represent a range of interests and expertise, with at least three of the members actively engaged in some aspect of the water supply or monitoring well drilling industry.

The Commission's rules under OAR Chapter 690, Division 235 provide a process to identify GWAC candidates, prescribe a range of categories of expertise that may be represented on GWAC, and allow appointments for up to three years. The rules result in the expiration of three appointments each year, thus staggering membership. Any mid-term vacancy is filled for the remainder of the term. Each year, staff seeks Commission action on GWAC appointments and/or reappointments. It is Commission direction that appointments be limited to two terms (six years).

### **III. Discussion**

The terms for Tim Smith, Marilyn Reeves, and Terry Daugherty will expire on November 30<sup>th</sup>. Mr. Smith and Ms. Reeves are completing their second terms and reached their limitation of service on the committee. Mr. Daugherty is completing his first term and has declined to pursue a second term.

Tim Smith is a rancher and geologist out of the Burns area, former chair of GWAC, and has represented the “water-user” category on the committee. Marilyn Reeves resides in the Amity Hills area west of Salem, is retired from a distinguished career in public service, and has represented the “environmental” category on the committee. Terry Daugherty resides in Adrian, Oregon and is the co-owner of Riverside, Inc. a well drilling company based in Parma, Idaho. These departing committee members provided their experience and expertise to the Department and the Commission in their service on GWAC. The Department appreciates their commitment and contributions.

In accordance with the rule process, GWAC has three positions that must be filled. In order to comply with statute, one of the positions must be filled by a person who is actively engaged in some aspect of the water supply or monitoring well drilling industry. The other two positions would represent other interests or expertise. Current GWAC membership is listed on Attachment 2.

Recruitment for GWAC candidates included reviewing recommendations from individuals, organizations, and Department staff. Notice of the recruitment was sent to individuals on the GWAC mailing list maintained by the Department. The notices advised interested parties of the committee vacancies and asked that those wishing to be considered for a position on GWAC notify the Director.

A total of five individuals expressed interest in filling the three vacant positions. The candidate’s qualifications provide a wide range of experience. The Department recommends the appointment of Jim Carleton to replace Tim Smith in the Water User category; John Messner to replace Marilyn Reeves in the Environmental category; and Garry Zollman to replace Terry Daugherty in the Water Supply or Monitoring Well Drilling category. Terms for these three members would begin on December 1, 2010 and continue through November 30, 2013.

Jim Carleton is a partner in Carleton Farms near Merrill, Oregon in the Klamath Basin. The farms receive primary water from the Federal Klamath Project but rely on supplemental groundwater when surface water is not available. Jim is active in the community, working with the Klamath Water Users Association and the Klamath Water and Power Agency. Jim has a great deal of experience with the unique water supply issues confronting the Klamath Basin and he brings needed representation from the east side of the Cascade Range.

John Messner resides in the Petes Mountain area, which is located at the eastern edge of the Sherwood-Damasch-Wilsonville Groundwater Limited Area in Clackamas County. John relies on a well for domestic water and is interested in protection of groundwater resources. He

participated on the Department's Well Construction Advisory Committee (2008), and provided input to both the Commission's adoption of the Petes Mountain Special Area Well Construction Standards (2008) and Clackamas County's update of their Zoning and Development Ordinance (2010).

Garry Zollman is the owner of Zollman's Larry Burd Well Drilling located in Pendleton, Oregon. The company provides well services to northeastern Oregon and beyond. Mr. Zollman is active in the Oregon Groundwater Association and his participation on GWAC would provide needed representation from the well drilling industry on the eastern side of the state.

#### **IV. Alternatives**

The Commission may consider the following alternatives:

1. Appoint Jim Carleton, John Messner, and Garry Zollman to GWAC terms beginning December 1, 2010 through November 30, 2013.
2. Direct staff to return to the next Commission meeting with another slate of appointments, which reflects a different set of interest categories and/or candidates.

#### **V. Recommendation**

The Director recommends that the Commission follow Alternative 1 and appoint the recommended slate of candidates for the stated terms.

Attachments:

1. ORS 536.090 and OAR 690-235
2. Current GWAC Membership

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