



Oregon

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Water Resources Department

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MEMORANDUM

TO: Water Resources Commission

FROM: Brenda Bateman, Senior Policy Coordinator

SUBJECT: Agenda Item K, November 19, 2009
Water Resources Commission Meeting

Key Performance Measure Report

I. Issue Statement

Each year, the Water Resources Department (Department) submits a report that tracks the Department's Performance in key areas and is an essential part of the Department's budget presentation to the Governor's Office and Legislature. The Department submitted its most recent report on August 2, 2010.

II. Background

The Water Resources Department has 14 Key Performance Measures (KPMs). These performance measures cover agency programs related to: surface water restoration, protection, and measurement; groundwater monitoring; and regulatory and outreach actions. The Department has had most of its measures in place since 2005 or earlier, so we are building a solid data set that helps track how the Department is doing and identifies areas for improvement. The 2009-10 report in its entirety is in Attachment 1.

III. Discussion

Nine measures (690-1 through 690-5, 690-8 through 9, and 690-12 through 690-13) relate to the practice and promotion of responsible water management, while the remaining measures relate to efficiency and customer service. The Department has made great strides improving process, information technology and training, resulting in quicker processing times and reduced backlog.

KPMs MAKING PROGRESS: at or trending toward target achievement

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| #1 - Flow Restoration | #9 - Promote Efficiency in Water Management and Conservation Plan Reviews |
| #2 - Protection of Instream Water Rights | |
| #4 - Streamflow Gaging | |
| #5 - Assessing Groundwater Resources | #10 - Promote Efficiency in Water Right Application Processing |
| #7 - Equip Citizens with Information | |
| #8 - Water Measurement | #14 - Customer Service (biennial survey) |

KPMs NOT MAKING PROGRESS: not at or trending toward target achievement

- #3 - Monitor Compliance
- #6 - Equip Citizens with Information
- #11 - Promote Efficiency in Transfer Application Processing
- #12 - Promote Efficiency in Field Staff Regulatory Activities
- #13 - Increase Water Use Reporting

There are two measures, KPM #3 and #6 that are not performing at or in the direction of their targets, but are still very high. An additional three measures, KPM #11, 12, and 13 are cause for greater concern, as they represent the crest of what could be a very steep decline for the agency, if funding needs are not addressed.

- Analysis of KPM #11: Promote Efficiency in Transfer Application Process

The goal is to increase the percent of transfer final orders issued within 120 days of application filing. The goal is to be able to begin work on processing a transfer application as soon as it is submitted, and to be able to move it through the steps of the process required by administrative rule without delay, except during periods when the Department is waiting for submission of documentation by the applicant. The 120-day target represents the average minimum time necessary to review an application for a water right transfer, given the public notice requirements for a mix of types of transfers and the necessity of a thorough review to ensure that other water users are not injured by the proposed change.

The Department has a large, but shrinking backlog of transfer applications, dating as far back as 1993. Our goal is to reduce the number of pending applications to the point that new transfer applications being filed do not have to wait at all, before being assigned to a caseworker. During the year, two transfer positions that had been vacant for more than a year were refilled, allowing the Department to reduce the number of pending transfer applications significantly during the fiscal year from 446 to 315.

The Department received 169 transfer applications during the year and processed 293 pending applications, including the Department's oldest pending application, dating back to 1992. Sixty-two (21 percent) of the pending transfers received final orders within 120 days of the date the application was filed, which is below the target goal. This is not

unexpected due to the emphasis on processing transfers that have been pending for the longest time. However, the Department is very concerned that recent staff reductions resulting from budget shortfalls will cause the backlog in the transfer section to climb once more. The Department continues to streamline its procedures, with the goal of reducing processing times.

- Analysis of KPM #12: Promote Efficiency in Field Staff Regulatory Activities

The goal is to decrease the ratio of “number of places where water is legally taken out of stream and used” to “number (FTE) of field staff.” This target is a workload indicator for how we are managing the state’s water resources. Our desire is to reduce the number of points of diversion (PODs) that we must monitor for each FTE of field staff so we can effectively manage our state’s water resources. A lower number indicates a higher probability of being able to manage the state’s water resources effectively.

For 2010, we lost ground compared to the gains we had seen in the previous two years, as several field staff were eliminated in the 2009-2011 legislatively adopted budget. The ratio of diversions to field staff rose from 2441 in water year 2009 to 2585 in water year 2010. Ongoing losses in the Department’s Field Services program as part of the 2011-13 budget, will cause the Department to lose more ground.

- Analysis of KPM #13: Increase Water Use Reporting

Water-use reporting by public entities is required by statute and as a condition on newer water right permits. The Department maintains an on-line reporting form and encourages water-use reporters to enter their data on-line. Water-use results are publicly available and are used by Department staff, water users themselves, and public, private and non-governmental organizations for future water planning and protection of streamflow.

In the past, when the Department’s water-use reporting position was funded and filled, staff mailed an annual reminder with the appropriate forms and instructions for recording and entering water use information online or in hardcopy, and then followed up with a personal phone call when necessary.

A new Key Performance Measure established by the Oregon Legislative in 2009 sets targets to “increase the percent reporting by 5 percent each year.” When this measure was established and targets set, the Department still had funding authority for its Water Use Reporting Coordinator position, and the target for 2009 was 70 percent. However, the 2009 Legislature removed funding for the Coordinator position, and the reporting rate dropped back to 20 percent, commensurate with results before the position was filled. Although the Department has implemented an online reporting system, there is no technical assistance available for new customers or those with questions. Loss of this position has also reduced the Department’s ability to process reports that are submitted. Reinstating this position would provide necessary staffing contact to water users required to report, perform quality checks of submitted data, provide technical assistance, and analyze water use.

ANOTHER KEY PERFORMANCE MEASURE OF NOTE

In 2009, the Oregon Legislature established another new Key Performance Measure for the Department, entitled “Fully implement the Water Resources Commission’s 2000 Water Measurement Strategy.”

By way of background, the Water Resources Commission embarked on a Measurement Plan in 2000 to strategically improve water measurement statewide. With resources scarce, the Commission wanted to “major on the majors” by prioritizing the installation of measuring devices. The Water Resources Commission directed the Department to focus its limited resources on “significant diversions” within “high priority watersheds¹.”

As a result, the Department has identified more than 2,300 significant diversions that represent about 10 percent of the overall number of diversions in high priority watersheds, and account for about 50 percent of the volume of water diverted. These diversions were inventoried by staff between 2001 and 2008. The Department is working with landowners to install water measuring devices (e.g., weirs, flumes, and meters) on these significant points of diversion (SPODs) in high priority watersheds around Oregon.

This KPM was created in 2009, and the target was to have a cumulative total of 250 measuring devices installed by end of calendar year 2009. Staff efforts, underway since 2000, resulted in 504 measuring devices installed by end of calendar year 2009. However, future progress may be frustratingly small, without the dedicated measurement staff and cost-share funding that the Department requested during the 2009 and prior Legislative Sessions.

IV. Conclusion

Achieving the Department’s performance targets is a challenge, given state budget limitations that affect the recruitment and retention of technical staff. All of these challenges will influence our ability to meet performance targets for our measures in the future. To meet these challenges, we continue to streamline processes, develop technological solutions, and strengthen partnerships with water users and other stakeholders. We also continue to request the budget resources necessary to provide timely and accurate service to WRD customers.

Attachment 1: Department’s Annual Performance Progress Report for 2009-10

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¹ Significant diversions are those that have a permit condition that require a measuring device; or divert more than five cubic feet per second; or divert a high percentage of streamflow. The Department identified high priority watersheds with the help of Oregon Department of Fish and Wildlife, as those with the greatest biological need and the greatest restoration opportunities.