



Oregon

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MEMORANDUM

TO: Water Resources Commission

FROM: Brenda Bateman, Senior Policy Coordinator

SUBJECT: Work Session, August 21, 2008
Water Resources Commission Meeting

Long-Term Water Conservation and Supply Planning: a Dialogue with Neighboring States

I. Issue Statement

During the May 2008 Water Resources Commission Meeting, the Commission began to discuss some of the fundamentals that a long-term water conservation and supply strategy might contain. The Commission discussed both process and content, looking briefly at rationales and models that other states have used.

During the August 21, 2008 meeting, the Commission will have an opportunity to meet with representatives from California and Washington, who are already engaged in long-term water planning efforts of their own.

II. Background

In ORS 536.300 (1) the Oregon Legislative Assembly directs the Water Resources Commission to study “existing water resources of this state; means and methods of conserving and augmenting such water resources; existing and contemplated needs and uses of water for domestic, municipal, irrigation, power development, industrial, mining, recreation, wildlife, and fish life uses and for pollution abatement, all of which are declared to be beneficial uses...”

Further, in ORS 536.310, the Legislative Assembly directs the Water Resources Commission, as it formulates its water resources program, to take into consideration existing rights, and to incorporate the ideals of ORS 536.220 (b): “proper utilization and control of the water resources of the state can be achieved only through a coordinated, integrated state water resources policy, through plans and programs for the development of such water resources...”

Finally, ORS 536.241.(2), notes that “it is the policy of the State of Oregon to ensure a water supply sufficient to meet the needs of existing and future beneficial uses of water to adequately manage the state’s water resources.”

A. Initial Data-Gathering Efforts

To facilitate these efforts, in 2007 the Oregon Legislature funded and the Department undertook a data gathering effort known as the Oregon Water Supply and Conservation Initiative. The purpose of this Initiative is to gather the informational foundation upon which a long-term strategy for meeting Oregon’s water needs can be built.

The Department is requesting additional resources during 2009-2011, in addition to its base budget, to continue the data gathering effort. These requests include staff, equipment, and research monies to continue water demand assessments, basin yield and peak flow analysis, surface water measurement, and ground water studies. The requests also include two dedicated staff to provide the facilitation, documentation, and outreach required to help develop a long-term water resources strategy.

B. May 2008 Discussion

During the May 29, 2008 discussion, the Water Resources Commission began to discuss its vision of a long-term water resources strategy. Commissioners shared their thoughts on two primary topics: desired outcomes of a long-term strategy and what the process should include.

The brainstorming results below list ideas in no particular ranking or order.

1. What are the desired outcomes of a long-term water resources strategy? It should:

- Be useful
- Have a structure that facilitates implementation
- Take time to implement properly, so we need to start now
- Include a process that lends itself to action, making things happen
- Be user friendly and beneficial
- Ensure adequate, long-term supply for all (recognized) beneficial uses
- Provide the water that is crucial for life, economics, community
- Address in-stream & ecological uses as well
- Allow for learning and adaptation
- Allow for constant re-adjustment (e.g., change in markets, climate, practices)
- Include in its next iteration the lessons learned from the previous round
- Be clear that each five-year look only represents “snapshot” in time
- Allow for an ongoing, evolving process
- Recognize that five-year reporting cycles tends to produce plans, not necessarily implementation

- Include a way to measure or evaluate water projects and studies
- Clearly explain whether and how the strategy relates to Oregon's existing, and more prescriptive, Basin Plans
- Be based on science & local input.
- Use uniform protocols, in terms of data gathering
- Recognize that practices and needs will differ by Basin, while keeping a state-wide approach
- Utilize information, such as inventories, interactive maps, and databases, available to all.
- Result from an open process, available to water managers, water users, the public
- Note successful practices, such as conservation, supply, effective storage, effective re-use
- Provide incentives for stakeholders to participate in the planning process, such as local representation, planning grants, etc.
- Use lessons learned from Oregon's land-use planning process. For instance, rely on local input, knowing that the process will not work in different parts of the state. Build in safety valves. Avoid getting overly complicated; use an iterative process.
- Get the best and latest technical information to communities so they can participate in the decision-making process. Note what has worked well and what has not.
- Include a preamble that explains why we are talking about this strategic plan right now. Such a section allows the state to accomplish several goals: host a conversation with Oregonians about water, remind participants of the 100th anniversary of Oregon Water Code, provide a common vehicle for planning, and provide clarity, talking points, and a vision. Describe the value of the planning process in this section. This will be the document stakeholders and legislators refer to in future years.
- Use lessons learned from Oregon's coastal model. For instance, avoid recommendations that are complicated, legalistic, and administrative. Focus more on recommendations that are visionary and challenging.
- Involve analysis at the staff level, evaluating the Basin Plan process, other state plans (tools, requests, outcomes, lessons learned).
- Commit to maintaining/sustaining beneficial uses.
- Be fair and creative.
- Offer a suite of potential solutions: outreach, education, regulatory, loans, other...
- "Take care of Oregon's water."
- Not prioritize public funding opportunities by regions or basins. Reward regions that are already working together collaboratively.

2. What Should the Process Include?

- Throughout the state, present the purpose and vision of a long-term water resources strategy. Ask what people want to see addressed in this plan, such as: what are your primary water resource issues in this region? How could a long-term strategy allow you to get your work done? Encourage input! Provide timelines and Department

contact information. More Oregonians will become engaged during the course of the process.

- The role of the Department and Commission should be to hold/host these conversations. Start thinking now about how to engage Oregon communities. Invite both current and previous Commissioners to help host these discussions.
- Ensure that this is a bottom-up exercise.
- We need (but do not yet have) a broad framework in place that describes how to start the process, meet with stakeholders, etc.
- The current statutory framework provides planning authority. Make sure this process develops inside the statutory framework (i.e., the Commission would ratify the strategy and then the Department would manage the implementation).
- The Commission and Department have the authority and responsibility to lead these planning efforts, but not the resources. Put this in writing, formally.

III. Discussion

During the Aug. 21, 2008 meeting, the Commission will be joined by two representatives of states that have experience in long-term water conservation and supply planning: 1) Daniel R. Haller, P.E., is the Columbia River Unit Supervisor at Washington's Department of Ecology; 2) Kamyar Guivetchi, P.E., is the Manager of Statewide Water Planning for California's Department of Water Resources.

These individuals will address questions in a panel discussion format. The questions include:

- What is the fundamental objective of your state plan?
- What components comprise the plan: demand studies, grants, recommendations, etc?
- What are the basic statistics: cost, staff, frequency of updates, starting year, evolution
- Describe the process in terms of public input, advisory/technical groups, ratification
- Most significant obstacles, lessons learned, and advice for those starting out.

At the conclusion of the panel question-and-answers, the Commission will have an opportunity to ask additional questions. The Commission will also have time to continue the brainstorming exercise begun in May 2008. Potential topics include:

- How do we ensure the best stakeholder involvement possible? Will this be a formal or informal process? Do we need a policy advisory group? Should we hold hearings? Should we convene a separate stakeholder group for other state agencies?
- How do we get started? How will we know when we've finished? How do we get from start to finish?
- Who should "ratify" this plan? Would the WRC adopt it by rule?
- When would WRD report results to the Legislature?
- How would WRD implement additional distribution and outreach?
- What form might resulting legislative concepts take?

- What form might resulting budget/policy option packages take?

Conclusion

If time does not allow the group to complete discussion of the topics outlined above, please plan to continue the dialogue during the November 2008 meeting.

No Commission action is necessary today. The Department has requested resources to conduct this work as part of its 2009 proposed budget. Through ongoing discussions with the Water Resources Commission, stakeholders, and the Legislature, the Department will continue to refine the proposed process and content for a long-term water conservation and supply plan.

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