

DRAFT MEETING MINUTES  
GROUND WATER ADVISORY COMMITTEE (GWAC)  
July 31, 2009  
Teleconference hosted at Rogue Conference Room  
North Mall Office Building, 725 Summer St. N.E., Ste. A  
Salem, Oregon 97301

GWAC Members On Phone		Staff Present		Others
Bob Jones	Lynne Paretchan	Doug Woodcock	Tracy Loudon	
Kevin Gill	John Stadeli	Ruben Ochoa	Jerry Rodgers	
Tim Smith	Rob Turkisher	Juno Pandian	Arla Heare	
Greg Kupillas	Merilyn Reeves			

I. **Call to Order** – Tim Smith, Chair, called the meeting to order at 9:04 a.m.

II. **Approval of Minutes for 5/1/2009 Meeting**

Greg Kupillas suggested an amendment to the minutes regarding Rob Turkisher’s statement concerning the “national” committee rules, clarifying the statement in the minutes to reflect “national” refers to International Ground Source Heat Pump Association (IGSHPA). Bob Jones moved to approve with proposed amendment, Kevin Gill seconded the motion, minutes approved unanimously.

Doug Woodcock, Groundwater Section Manager, suggested that the final transcribed minutes reflect less detail and only include general feel of discussion, motions carried, and who was present at the meeting. A concern was raised that key points might not be included. Merilyn noted that members can request key points be reflected in the minutes. The consensus was for briefer minutes but that digital recordings of minutes be retained for a reasonable period of time.

III. **Update on WRD Budget 2009-2011**

Tracy Loudon, Administrative Services Administrator, briefed the committee on the 2009-2011 biennium budget. In the last biennium, the general fund covered about 76% of the Department’s budget. In the proposed budget for 2009-11 there is significant new funding through bonds. Ignoring this one time limitation appropriation, the general fund portion of the new budget drops from 76% to 65%. The other funds percentage has gone up largely from increased or new fees. Overall staff numbers shrank a bit. Funding was received for four new positions related to packages and six positions were lost. Other reductions include \$50,000 from the Department’s legal budget, \$50,000 from groundwater studies, (\$75,000 remaining) \$100,000 for water measurement equipment, \$200,000 for the Klamath Adjudication which may delay the process six to twelve months, and \$300,000 from the Water Development Loan Fund. Overall the Department did well when compared with other agencies, due to work by legislators and stakeholder groups.

IV. **Legislative Update**

Jerry Rodgers, Technical Services Administrator and Doug Woodcock, Groundwater Manager presented information on several groundwater related bills that were passed by the legislature.

-HB 2231 increased the Start Card fee from \$125 to \$225. This increase is intended to maintain the Department’s current well inspection program.

-HB 2232 establishes a new fee to collect, enter, and post data related to geotechnical hole reports. (test holes for which data about subsurface conditions is collected and posted on-line). The

fee is \$25 for the first report and \$10 for each additional report at a project site within a seven day period.

-SB 788 had several components. One section raised application fees for water right applications and transfers from about 28 % recovery cost related to processing to 50 %. Another section added recording requirements for landowners of new exempt use wells. These recording requirements include a map of the well location and a one time \$300 recording fee. The recording fees will support a variety of groundwater activities at the Department.

## **V. Rulemaking Schedule**

Ruben Ochoa, Rules Coordinator, briefed committee about rulemaking regarding new legislation. The Department does not anticipate rulemaking regarding HB 2231. HB 2232 is still being reviewed to determine if there is any appropriate rulemaking required. The Commission adopted temporary rules on July 30<sup>th</sup> for SB 788 concerning the recording requirements for new exempt use wells. The Department will put together a RAC to advise on permanent rules. The Department anticipates requesting adoption of permanent rules by the Commission at their November meeting. The public comment period for rulemaking will be open from September 1 to the 25<sup>th</sup>.

## **VI. Public Comment**

Greg Kupillas commented that the information he provided the committee on the effective date of SB 788 was with the intent of keeping the members informed. He stated he did not presume that the committee had any business advising the Water Resources Commission on what legal opinion they should be considering. He pointed out that he respectfully disagreed with Jerry Rodgers and felt it was a topic that falls within the responsibility of the GWAC as it does relate to the rules and in looking at the temporary rules that have currently been adopted for SB 788, the effective date of the rules is July 1<sup>st</sup> 2009, which would fall into all matters relating to it. He feels that it is appropriate for the committee to discuss this and although the committee cannot advise the Water Resources Commission on their legal opinion, the committee should be able to have responsibility to let the Commission know that there are other compelling legal opinions out there that disagree with the Attorney General.

Lynne commented that she'd like to see GWAC work more effectively. She proposed meeting six times a year with shorter meetings, especially in years when there is a legislative session, to be more useful and better stay on top of issues. She suggested the Department send out information more frequently, perhaps monthly, and if committee members have questions they can get answers outside the meeting. If members are better briefed, meetings could be more efficient, effective, and shorter. By meeting more often, the committee would be in a position to be more proactive instead of reactive on issues. There was general agreement with the concept. Jerry agreed the Department would send out a monthly informational email even when news is limited.

Meeting Adjourned at 11:10

## **Next Meeting**

The next meeting was scheduled for Friday September 25, 2009

**Audio-files of the meeting are available**