



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

OREGON WATER RESOURCES COMMISSION MEETING

November 19 – 20, 2009

Water Resources Department
Conference Room 124
725 Summer Street NE
Salem, Oregon 97301

If a specific time is indicated for an agenda item, an effort will be made to consider that item as close to that time as possible. However, because of the uncertain length of time needed for each agenda item, scheduled times may be modified. Those wishing to hear discussion of an item should arrive at the beginning of the meeting to avoid missing the item.

A public comment period is provided at approximately 11:30 a.m. on Friday for issues not included on the agenda. Public comment on agenda items will be taken as each item is considered by the Commission. Asterisks denote items on which public comment will generally not be taken (please see page 3).

Staff reports for individual agenda items, when available, will be on the Commission's website at http://www.wrd.state.or.us/files/Publications/staff_reports/.

COMMISSION MEETING: Thursday, November 19 (1:00 p.m.)

A. Integrated Water Resources Strategy Update (1:00 p.m. – 2:45 p.m.)

Staff will discuss with the Commission activities that have taken place related to the "Integrated Water Resources Strategy" since the close of the 2009 Legislative Session, and plans for next steps. Guest presenters include: Bob Levy, Board of Agriculture Chair; Tom Fessler, Board of Agriculture Vice-Chair; Ray Jaindl, Department of Agriculture Administrator and State Senator Jackie Dingfelder. *This is an informational report only.*

Break (2:45 p.m. - 3:00 p.m.)

*** B Request for Adoption of Rules Regarding Updates Concerning Dam Safety and the Implementation of Fees for Dam Safety, OAR Chapter 690, Division 20 (3:00 p.m. – 3:30 p.m.)**

Jerry Rodgers, Technical Services Administrator, and George Robison, Dam Safety Engineer, will present a request to adopt administrative rules to update the Division 20 Dam Safety Rules, and in accordance with the requirements of Senate Bill 788, assess an annual fee related to a dams hazard rating. *The Commission will be asked to adopt the final proposed rules.*

- * **C. Request for Adoption of Rules Providing Guidance and Standards Necessary for Landowners to Meet the Exempt Groundwater Use Recording Requirements of Senate Bill 788, OAR Chapter 690, Division 190 and the Suspension of OAR Chapter 690, Division 180 (3:30 p.m. – 4:00 p.m.)**
Jerry Rodgers, Technical Services Administrator, and Juno Pandian, Enforcement Manager, will present a request to adopt final proposed rules in accordance with the requirements of Senate Bill 788 and to suspend the use of temporary rules under OAR Chapter 690, Division 180. *In two separate actions, the Commission will be asked to adopt the final proposed rules and to suspend the temporary rules.*

- * **D. Request for Adoption of Rules Ensuring the Consistency in Fees for Limited Licenses and Modifications to Ground Water Registrations, OAR Chapter 690, Division 340 and Division 382 (4:00 p.m. – 4:15 p.m.)**
Dwight French, Water Rights Administrator and Debbie Colbert, Field Services Administrator, will present a request to adopt final proposed rules, which would ensure that fees paid for limited licenses and modifications to ground water registrations are consistent with other statutorily established fees that were adjusted by the 2009 Legislature. *The Commission will be asked to adopt the final proposed rules.*

- E. Request from the City of Walla Walla to amend Application HE 523 for additional hydroelectric purposes as allowed under ORS 537.835 (4:15 p.m. – 5:00 p.m.)**
Dwight French, Water Rights Administrator and Craig Kohanek, will present a request from the City of Walla Walla to amend its hydroelectric water right. *The Commission will be asked to determine whether additional flows are required under the application.*

COMMISSION MEETING: Friday, November 20 (8:00 a.m.)

- F. Approval of Minutes**
The minutes of the September 10 and 11, 2009 meeting will be presented for Commission approval. *The Commission will be asked to approve the minutes.*

- G. Approval of 2010 Commission Schedule**
A tentative schedule of meetings for 2010 will be presented for Commission approval. *The Commission will be asked to approve the meeting schedule.*

- H. Commission Comments**
Commissioners will report on their recent activities and share information and comments on a variety of water resource topics.

- I. Director's Report**
Director Phil Ward will update the Commission on Department business, and late-breaking issues.

J. Commission Approval of Appointments to the Ground Water Advisory Committee (8:20 a.m. – 8:35 a.m.)

Jerry Rodgers, Technical Services Division Administrator, will present recommendations to fill three positions on the Ground Water Advisory Committee (GWAC). The nine-person citizen panel advises the Department and Commission on issues pertaining to ground water and well construction policies. *The Commission will be asked to approve the proposed appointments.*

K. Request for an Exception to Willamette Basin Program by the City of Harrisburg under ORS 536.295 (8:35 a.m. – 9:00 a.m.)

Dwight French, Water Rights Administrator, will be presenting a request to approve the request by the City of Harrisburg for an exception to the Willamette Basin Program for their surface water Application S-87395. *The Commission will be asked to approve the basin program exception.*

L. Climate Change Update (9:00 a.m. – 9:30 a.m.)

Barry Norris, State Engineer, will give a short update on the University of Washington's climate change research activities related to the Pacific Northwest. *This is an informational report only.*

Break (9:30 a.m. – 9:45 a.m.)

M. Key Performance Measure Report (9:45 a.m. – 10:15 a.m.)

Brenda Bateman, Senior Policy Coordinator, will give a final report on the Department's 2008-09 Key Performance Measures. *This is an informational report only.*

N. Corvallis Water Reuse Citizen Survey (10:15 a.m. – 10:30 a.m.)

Tom Penpraze, City of Corvallis, and Masters student Karen DuBose, will present the results of a citizen survey in the City of Corvallis to assess public knowledge and opinions related to water reuse. The Department awarded the City a grant to conduct this work as part of the SB 1069 (2008) grant program. *This is an informational report only.*

O. Umatilla Critical Area Recharge Project Results (10:30 a.m. - 11:30 a.m.)

Barry Norris, State Engineer for Water Resources, and Fred Ziari, President of IRZ Consulting, will present results from the Umatilla Basin Aquifer Recharge Project feasibility study, conducted with SB 1069 grant funds. These results will form the basis for implementation / construction work, funded through HB 3369 and related bills during the 2009 Legislative Session. *This is an informational report only.*

P. Public Comment (approximately 11:30 a.m.)

Q. Other Issues

Meeting Procedures: Generally, agenda items will be taken in the order above. However, in certain circumstances, the Commission may elect to take an item out of order. Please be aware that topics not listed on the agenda may be introduced during the Commission Comment period, the Director's Report, Public Comment period, Other Issues or at other times during the meeting.

Oregon's Public Meetings Law requires disclosure that Commission members may meet for meals on Tuesday and Wednesday.

Executive Session: The Commission may also convene in a confidential executive session where, by law, only members of the press and Department staff may attend. Others will be asked to leave the room during these discussions, which usually deal with current or potential litigation. Before convening such a session, the presiding Commission member will make a public announcement and explain necessary procedures.

***Public Testimony:** The Commission encourages public comment on any agenda item. However, public testimony may be limited on items marked with an asterisk (*). The asterisk means that the item has already been the subject of a formal public hearing or contested case hearing. On certain items marked with an asterisk, the Commission may be authorized to allow public comments.

People wishing to speak to the Commission are asked to fill out a comment request sheet (available at the information table). Comments relating to a specific agenda item will be heard by the Commission as each agenda item is considered. Comments on other topics may be made during the public comment period on Friday at approximately 11:30 a.m.

Every attempt will be made to share with the Commission written comments that are delivered to the Director's Office in advance of the meeting date. Early delivery of written comments is strongly encouraged so that Commissioners have sufficient opportunity to review materials prior to the meeting. To submit written comments directly to the Commission, please bring at least ten copies to the meeting.

Questions? If you have any questions about this agenda or the Commission's procedures, please call Cindy Smith, Commission Assistant, at 503-986-0876.

If special physical, language or other accommodations are needed for this meeting, please advise Cindy Smith at the phone number mentioned above as soon as possible but at least 48 hours in advance of the meeting.

Water Resources Commission

(with city of residence, region represented, and year of term expiration)

The Commission is a seven-member citizen body which sets state water policy and oversees activities of the Water Resources Department.

John Jackson, Chair	Cornelius	Northwest Region	2013
Mary Meloy	Bend	North Central Region	2013
Charles Barlow	Nyssa	Eastern Region	2013
Jeanne LeJeune	Portland	West Side at Large	2012
John Roberts	Medford	Southwest Region	2012
Ray Williams	Milton-Freewater	East Side at Large	2013
Vacant		West Central Region	

Phil Ward, Director
Water Resources Department
725 Summer Street NE, Suite A
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DIRECTIONS TO THE MEETING

From I-5

Take Exit 256 (Market Street). Heading west on Market, go approx. 2 miles to Summer Street. Turn left onto Summer Street. Go less than 1/2 mile to our building. Our building is located on your right between the Department of State Lands and the Employment Building.

Parking

Parking is located along Summer Street and also Winter Street (west side of building). Parking along Summer Street is metered. The parking along Winter Street has a 2-hour limit.

There are six 2-hour parking stalls located between our building and the Employment Building to our south. Parking is also available in the Yellow Lot which is located two blocks south of our building for a fee.