



# Oregon

Theodore R. Kulongoski, Governor

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## OREGON WATER RESOURCES COMMISSION MEETING

May 29 - 30, 2008

Harney County Fairgrounds – Memorial Building  
69660 S. Egan Street  
Burns, Oregon 97720

*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 11:40 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 will be available on the Commission's website at [http://www.wrd.state.or.us/files/Publications/staff\\_reports/](http://www.wrd.state.or.us/files/Publications/staff_reports/).*

### **COMMISSION WORK SESSION: Thursday, May 29, 8:00 a.m.**

#### **Workshop: Strategy Session for Oregon's Integrated Water Conservation and Supply Strategy (8:00 am – 10:00 am)**

Phil Ward, Director, and Brenda Bateman, Senior Policy Coordinator will lead a discussion about developing Oregon's Integrated Water Conservation and Supply Strategy. The Department will seek the Commission's input regarding process and content of such a strategy.

#### **Break (10:00 a.m. – 10:15 a.m.)**

#### **Commission Dialog with Local Officials (10:15 am – 12:00 pm)**

The Commission has invited local officials to discuss water supply issues in the Malheur Basin. Panel members include: Harney County Judge Steve Grasty; Harney County Commissioner Dan Nichols; Tim Smith, Chair of the Department's Ground Water Advisory Committee; and Jason Fenton, EPA Manager for the Burns Paiute Tribe.

### **TOUR: Thursday, May 29, 1:15 p.m. – 5:00 p.m.**

The Commission will depart from the Harney County Fairgrounds Memorial Building at 1:15 p.m. to tour the Malheur Wildlife Refuge and other local areas of interest. The Commission will tour from approximately 1:15 p.m. to 5:00 p.m.

The public is invited to attend the tour, but transportation will be provided only for Commissioners, Department staff, and invited guests. If you wish to join the tour, you must make your own transportation arrangements. Please contact Cindy Smith at (503) 986-0876, if you plan to attend.

**COMMISSION MEETING: Friday, May 30, 8:00 a.m.**

- A. Commission Meeting Minutes (8:00 a.m.)**  
The minutes of the February 28 and 29, and March 24 meetings will be presented for Commission approval.
- B. Commission Comments**  
Commissioners will report on their recent activities and share information and comments on a variety of water resource topics.
- C. Director's Report**  
Director Phil Ward will update the Commission on Department business and late-breaking issues.
- D. Water Resources Department's 2009 Proposed Budget (8:30 a.m. – 9:30 a.m.)**  
Brenda Bateman, Senior Policy Coordinator, and Tracy Louden, Administrative Services Division Administrator, will provide an update on the Department's 2009 Proposed Budget. Commissioners will have an opportunity to help the Department prioritize budget requests. *This is an informational report only.*
- E. Water Resources Department's 2009 Proposed Legislative Concepts (9:30 a.m. – 9:50 a.m.)**  
Brenda Bateman, Senior Policy Coordinator, will discuss the Department's 2009 proposed Legislative Concepts. *This is an informational report only.*
- \*F. Request for Adoption of Rules to Establish Special Area Well Construction Standards for the Eola Hills Ground Water Limited Area and in the Petes Mountain Area, OAR Chapter 690, Division 200 (Well Construction and Maintenance), Division 210 (Well Construction Standards) and Division 215 (Maintenance, Repair and Deepening of Water Supply Wells) (9:50 a.m. – 10:05 a.m.)**  
Jerry Rodgers, Technical Services Division Administrator, will present a request for the adoption of these rules. *The Commission will be asked to approve the final proposed rules.*
- Break (10:05 a.m. – 10:20 a.m.)**
- G. Request for Approval of a Final Order Denying the Oregon Ground Water Association Petition Requesting Commission Adoption of a Proposed Rule Related to Well Alterations (10:20 a.m. – 10:45 a.m.)**  
Jerry Rodgers, Technical Services Division Administrator, and Ruben Ochoa, Water Policy Analyst, will present a request for approval of a final order denying the Oregon Ground Water Association's Petition requesting the adoption of a proposed rule related to well alterations. *The Commission will be asked to deny the petition.*

**\*H. Request for Adoption of Rules Necessary to Administer the Planning Studies Grant Program established under Senate Bill 1069 (Chapter 13, 2008 Laws), OAR Chapter 690, Division 600 (10:45 a.m. – 11:15 a.m.)**

Ruben Ochoa, Water Policy Analyst, will present a request to adopt final proposed rules under OAR Chapter 690, Division 600 relating to the Feasibility Studies Grant Program established under Senate Bill 1069. *The Commission will be asked to adopt the final proposed rules.*

**I. Impoundment Storing more than 3,000,000 gallons – Rogue Basin Application R-86873, Rogue River Estates (11:15 a.m. – 11:30 a.m.)**

Dwight French, Water Rights and Adjudication Administrator, will present a request for consideration of an application for a proposed storage project to impound more than 3,000,000 gallons of water, equivalent to 9.2 acre feet (AF), prior to approval and the issuance of a permit (OAR 690-515). *The Commission will be asked to review and consider the proposed storage project.*

**J. Deschutes Basin Ground Water Mitigation Program Follow Up (11:30 a.m. – 11:40 a.m.)**

Debbie Colbert, Field Services Administrator, and Dwight French, Water Rights and Adjudication Administrator, will give an update on the Deschutes Basin allocation cap (Division 505) and on the legislative report required under HB 3494 (2005 Oregon Laws). *This is an informational report only.*

**K. Public Comment (approximately 11:40 a.m.)**

**L. 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 Thursday and Friday.

**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 11:40 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 and region represented)

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

Dan Thorndike, Chair	Ashland	Southwest Region
Jay Rasmussen, Vice-Chair	Newport	West Central Region
Mary Meloy	Bend	North Central Region
John Jackson	Cornelius	Northwest Region
Charles Barlow	Nyssa	Eastern Region
Susie Smith	Eugene	West Side at Large
Ray Williams	Milton-Freewater	East Side at Large

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[www.wrd.state.or.us](http://www.wrd.state.or.us)

## **Directions to Harney County Fairgrounds – Memorial Building**

### **From I-5 at Salem**

Take Exit 253 (Detroit Lake exit). Head East on Mission (Hwy 22) for approx. 129 miles (Hwy 22 merges into Hwy 20 in Mountain Pass). Upon entering Bend, turn left onto NE Greenwood Avenue/US 20. For approx. 128 miles, follow US 20 to Burns. Turn right onto W. Pierce Street. Turn Right onto S. Egan Ave. to 69660 S. Egan Street. Total drive time: approx. 5 hours.

### **From Portland**

Take US-26E for approx. 129 miles. Take slight right onto Ochoco Hwy for 2.5 miles; turn left on George Millican Road for 30 miles; left onto US 20; approx. 100 miles, follow US 20 to Burns; Turn right onto W. Pierce Street. Turn Right onto S. Egan Ave. to 69660 S. Egan Street. Total drive time: approx. 5 hours.

### **From Pendleton**

Take US-395 for approx. 116 miles; turn left onto US-26 for approx. 8 miles; turn right onto US-395 for approx. 68 miles; turn right onto US-20 for approx. 3 miles; stay straight to go onto S Broadway Ave.; turn slight right onto S. Railroad Ave.; turn slight left onto S. Egan Ave. to 69660 S. Egan Street. Total drive time: approx. 4 hours.

### **From Klamath Falls**

Take OR-140 for approx. 90 miles; turn slight left onto US-395 for approx. 112 miles; keep right at fork to go onto US-20, go approx. 26 miles to Burns; Turn right onto W. Pierce Street. Turn Right onto S. Egan Ave. to 69660 S. Egan Street. Total drive time: approx. 4 hours.