



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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OREGON WATER RESOURCES COMMISSION MEETING

August 10 - 11, 2006

Bandon Community Center – The Barn

1200 11th Street SW

Bandon, Oregon 97411

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 12:00 p.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 4).

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

TOUR: Thursday, August 10, 8:00 a.m.

The Commission will depart from the Best Western Inn at Face Rock (3225 Beach Loop Drive, Bandon, OR) at 8:00 a.m. for a tour of local sites. The Commission will tour from approximately 8:00 a.m. to 12:00 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.

WORK SESSION: Thursday, August 10, 1:00 p.m.

Welcome (1:00 p.m. – 1:15 p.m.)

Local elected officials will welcome the Commission to the area.

A. 2005 Field Activities Report and Watermaster Presentations (1:15 pm – 2:00 pm)

Tom Paul, Deputy Director, will update the Commission on 2005 field regulation and enforcement activities. Larry Menteer, Watermaster District 13, and Mitch Lewis, Watermaster, District 19, will provide brief presentations on field activities in their districts. *This is an informational report only.*

Break (2:00 p.m. – 2:15 p.m.)

B. Commission Dialog with Local Representatives (2:15 p.m. – 3:45 pm)

The Commission has invited local representatives for a discussion on water supply, watershed restoration, and water use issues in the South Coast Basin. Panelists will include representatives from Coos County, the Natural Resource Conservation Service, local watershed councils, and local agriculture and other industries.

- C. Update on Greenberry Irrigation District Permit S-54059 (3:45 p.m. – 4:00 p.m.)**
Dwight French, Water Rights and Adjudication Administrator, will describe the short-term surface water permit issued in 2004 to Greenberry Irrigation District (GID) for the Willamette River. Dan O'Brien, GID Manager, and Dan Hanthorn, Water Treatment Plant Manager, City of Corvallis, will describe efforts to secure long-term water supplies through a Willamette Reservoir water contract and other alternatives. *This is an informational report only.*
- D. Other Comments (approximately 4:00 p.m.)**

COMMISSION MEETING: Friday, August 11, 8:00 a.m.

- E. Commission Meeting Minutes (8:00 a.m.)**
The minutes of the previous meeting will be presented for Commission approval.
- F. Commission Comments**
Commissioners will report on their recent activities and share information and comments on a variety of water resource topics.
- G. Director's Report**
Phil Ward, Director, will update the Commission on Department business and late-breaking issues.
- H. Budget Update (8:20 a.m. – 8:30 a.m.)**
Phil Ward, Director, and Mike Auman, Administrative Services Administrator, will provide a brief update on the 2007 – 2009 Agency Recommended Budget. *This is an informational report only.*
- I. Commission Subcommittee Updates (8:30 a.m. – 8:50 a.m.)**
The Funding and the Futures Subcommittees will provide updates on recent meetings and other activities.
- *J. Final Proposed Rules Related to Water Right Transfers and Modifications to Ground Water Registrations – OAR Chapter 690, Divisions 380 and 382 (8:50 a.m. – 9:40 a.m.)**
Bill Ferber, West Region Manager, and Doug Parrow, Transfer Program Coordinator, will present a request to adopt final proposed rules under OAR Chapter 690, Divisions 380 and 382 regarding water right transfers and ground water registrations. The proposed Division 382 rules implement House Bill 2123 (2005 Oregon Water Laws, Chapter 614) by defining the process and standards for recognizing ground water modifications. The proposed rule amendments in Division 380 implement provisions of HB 2123 related to surface water to

ground water transfers and also clarify other provisions related to transfers. *The Commission will be asked to approve the final proposed rules.*

***K. Final Proposed Rules Related to Rulemaking, Protests and Contested Cases, and Public Records Requests – OAR Chapter 690, Divisions 1, 2, and 3 (9:40 a.m. – 10:10 a.m.)**

Kim Grigsby, Water Resources Policy Analyst, will present a request to adopt final proposed rules. Division 1 amendments would update the Department's rules related to rulemaking to reflect the latest version of the Attorney General's Uniform and Model Rules of Procedure. The Division 2 amendments would update the Department's rules related to protests and contested case hearings to be consistent with the Attorney General's Uniform and Model Rules of Procedure. The proposed Division 3 rules would provide procedures related to requests for public records and the Department's processing of those requests. *The Commission will be asked to approve the final proposed rules.*

Break (10:10 a.m. – 10:25 a.m.)

***L. Final Proposed Rules Related to Instream Water Right Rules – OAR Chapter 690, Division 77 (10:25 a.m. – 11:10 a.m.)**

Debbie Colbert, Senior Policy Coordinator, will present a request to adopt final proposed rules under OAR Chapter 690, Division 77 relating to instream water rights. The proposed rules would provide greater consistency with the water right transfer rules (Division 380), clarify the standards for state agency applied instream water rights, and streamline and clarify other general provisions. *The Commission will be asked to adopt the final proposed rules.*

***M. Final Proposed Rules Related to District Water Right Transfers – OAR Chapter 690, Division 385 (11:10 a.m. – 11:30 a.m.)**

Debbie Colbert, Senior Policy Coordinator, will present a request to adopt final proposed rules under OAR Chapter 690, Division 385 relating to district water right transfers. The proposed rules would implement temporary district transfer provisions enacted under House Bill 2875 (2005 Oregon Laws, Chapter 401). *The Commission will be asked to adopt the final proposed rules.*

N. Water Right Permitting in the Klamath Basin (11:30 a.m. – 12:00 p.m.)

Barry Norris, Technical Services Administrator, will lead a discussion on water right permitting in the Klamath Basin. *This is an informational report only.*

O. Public Comment (approximately 12:00 p.m.)

P. 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 12:00 p.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.

Dan Thorndike, Chair	Ashland	Southwest Region	2005
Jay Rasmussen, Vice-Chair	Newport	West Central Region	2009
Mary Meloy	Bend	North Central Region	2009
Gary Reed	Hermiston	East Side at Large	2009
John Jackson	Cornelius	Northwest Region	2009
Charles Barlow	Nyssa	Eastern Region	2009
Susie Smith	Eugene	West Side at Large	2008

Phil Ward, Director
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Salem, OR 97301-1271
www.wrd.state.or.us

Directions to the Bandon Community Center

I-5 South

Heading South on I-5, take Exit 162 toward Drain/Elkton; Go approx. 7 miles, turn right onto W “B” Avenue/OR-38/OR-99/Umpqua Hwy, follow OR-38/Umpqua Hwy; Go approx. 50 miles, turn left onto US-101 S/Oregon Coast Hwy; Go approx. 51 miles; turn right onto 11th Street SW in Bandon. Go approx. $\frac{3}{4}$ mile to **1200 11th Street SW**.

I-5 North

Heading North on I-5, take Exit 119 toward OR-99S/Winston/OR-42/Coos Bay; go approx. $\frac{1}{2}$ mile, merge onto Coos Bay-Roseburg Hwy; go approx. 3 miles; Turn right onto W. Douglas Blvd/OR-42/Coos Bay-Roseburg Hwy. Continue to follow OR-42/Coos Bay-Roseburg Hwy.; Go approx. 58 miles; Stay straight onto W Main Street/OR-42S; Go approx. $\frac{1}{4}$ mile; turn left onto OR-42S/Coquille-Bandon Hwy.; Go approx. 17 miles; turn left onto US-101/2nd Street SE/Oregon Coast Hwy; Go approx 1 mile; turn right onto 11th Street SW in Bandon. Go approx. $\frac{3}{4}$ mile to **1200 11th Street SW**.