



# Oregon

Theodore R. Kulongoski, Governor

**Water Resources Department**

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## **OREGON WATER RESOURCES COMMISSION MEETING**

**May 4 - 5, 2006**

**Hermiston Conference Center**

**415 Hwy 395 S**

**Hermiston, Oregon 97838**

*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 3).*

*Staff reports for individual agenda items are 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 4, 8:00 a.m.**

#### **Overview of Umatilla River Issues (8:00 am – 9:00 am)**

A representative of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), elected officials, local representatives, and Department staff will provide brief overviews on historical aspects of fish recovery in the Umatilla River Basin, the Umatilla Basin Projects, the status of ground water supplies, and the Umatilla County Critical Groundwater Task Force.

#### **Commission Dialog with Umatilla County Critical Groundwater Task Force and Elected Officials (9:00 am – 12:00 pm)**

The Commission has invited state elected officials and representatives from the Umatilla County Critical Groundwater Task Force for a conversation on key water supply issues in the Umatilla River Basin. Topics will include the economic impacts of limited water supplies, potential water supply solutions, information needs, rural water supply options, environmental considerations, and public outreach and education.

#### **TOUR: Thursday, May 4, 1:30 p.m. – 5:30 p.m.**

The Commission will depart from the Hermiston Conference Center at 1:30 p.m. to tour the Umatilla River Basin between Hermiston and Pendleton. The Commission will tour from approximately 1:30 p.m. to 5:30 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 5, 8:00 a.m.**

**A. Commission Meeting Minutes (8:00 a.m.)**

The minutes of the previous meeting 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. Budget Update (8:25 a.m. – 8:45 a.m.)**

Phil Ward, Director, and Mike Auman, Administrator of Administrative Services Division, will provide a brief update on proposed Policy Option Packages for the 2007 – 2009 Agency Recommended Budget. *This is an informational report only.*

**E. Commission Discussion (8:45 a.m. – 9:25 a.m.)**

Time is provided for Commission discussion and follow-up from the March 7 work session and March 31 meeting. In particular, the Commission will identify a subcommittee of the Commission to work with the Department to develop potential long-term, alternative funding strategies for the Department, and possibly water development infrastructure.

**F. Reservation Request - OAR Chapter 690, Division 518 (9:25 a.m. – 9:45 a.m.)**

Dwight French, Water Rights and Adjudication Administrator, and Mike Reynolds, Protest Program Coordinator, will present reservation requests by the City of Lincoln City. The reservation requests are for multipurpose storage for future economic development in three waterways in the Mid Coast Basin. The question before the Commission is whether to authorize the Department to initiate of a formal rulemaking process in response to these reservation requests. *The Commission will be asked to approve or deny the request to initiate rulemaking to amend OAR Chapter 690, Division 518.*

**\*G. Final Proposed Rules - OAR Chapter 690, Division 217 (9:45 a.m. – 10:15 a.m.)**

Doug Woodcock, Ground Water Section Manager, will present a request to adopt final proposed rules under OAR Chapter 690, Division 217 (Pump Testing of Nonexempt Wells). The proposed rules would streamline pump test requirements and the administration associated with conducting pump tests and follow-up testing. *The Commission will be asked to approve the final proposed rules.*

**Break (10:15 a.m. – 10:30 a.m.)**

**\*H. Final Proposed Rules - OAR Chapter 690, Divisions 200, 205, 220, 225, 240 (10:30 a.m. – 10:45 a.m.)**

Barry Norris, Technical Services Administrator, will present a request to adopt final proposed rules under OAR Chapter 690, Divisions 200, 205, 220, 225 and 240 relating to Water Supply Well Constructor and Monitoring Well Constructor licensing and bonding. The proposed rules implement Senate Bill 579 (Chapter 496, 2001 Oregon Water Laws) which directed the Department to adopt a single well constructor's license by July 2006

instead of the two licenses the Department currently issues. *The Commission will be asked to adopt the final proposed rules.*

**I. Public Interest Review of Application G-16510 (10:45 a.m. – 11:15 a.m.)**

Dwight French, Water Rights and Adjudication Administrator, will present ground water application G-16510 for the Commission's review and consideration of the public interest under the Umatilla Basin Program. OAR 690-507-0070(3)(d)(D). *The Commission will be asked to determine if the application is consistent with the public interest.*

**J. Grants Pass Irrigation District (GPID) Consent Decree (11:15 a.m. – 11:30 a.m.)**

Dave Jarrett, Field Services Administrator, will present a request to join a stipulated order to amend the federal court consent decree allowing GPID to continue diverting water at Savage Rapids Dam through November 1, 2008. *The Commission will be asked to join the stipulated order.*

**K. Mitigation Bank Charter for Deschutes Irrigation LLC (11:30 a.m. – 12:00 p.m.)**

Kyle Gorman, South Central Region Manager, will present a request for adoption of a mitigation bank charter for Deschutes Irrigation LLC pursuant to the Deschutes Mitigation Bank and Mitigation Credit rules (OAR Chapter 690, Division 521). *The Commission will be asked to approve or deny the mitigation bank charter.*

**L. Public Comment (approximately 12:00 p.m.)**

**M. 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

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## **Directions to Hermiston Conference Center**

### **Heading East on I-84**

Take the OR-207 exit- EXIT 182- toward HERMISTON / LEXINGTON, go 0.3 miles; Turn LEFT onto OR-207, go 3.8 miles; Turn RIGHT onto CR-1200 / W HIGHLAND AVE., go 1.1 miles; Turn LEFT onto S 1ST ST / US-395, go 0.2 miles. End at **415 S Highway 395** Hermiston, OR.

### **Heading West on I-84**

Take the OR-207 exit- EXIT 182- toward HERMISTON / LEXINGTON, go 0.2 miles; Turn RIGHT onto OR-207, go 3.7 miles; Turn RIGHT onto CR-1200 / W HIGHLAND AVE., go 1.1 miles; Turn LEFT onto S 1ST ST / US-395, go 0.2 miles. End at **415 S Highway 395** Hermiston, OR.