



# Oregon

John A. Kitzhaber, MD, Governor

**Water Resources Department**  
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## **OREGON WATER RESOURCES COMMISSION MEETING**

**November 15 – 16, 2012**

**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 11:45 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 4).*

*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/](http://www.wrd.state.or.us/files/Publications/staff_reports/).*

### **COMMISSION MEETING: Thursday, November 15 (1:00 pm)**

- A. Review of Split-Season Leasing Program and Legislative Concept (1:00 pm – 1:30 pm)**  
Dwight French, Water Rights Division Administrator, will provide an evaluation of the Department's Split-Season Leasing Program, as required by rule. *This is an informational report only.*
- B. Update on the Columbia River-Umatilla Solutions Task Force (1:30 pm – 2:00 pm)**  
Barry Norris, State Engineer, and Tom Paul, Deputy Director, will provide an update on the Governor's Columbia River Task Force. *This is an informational report only.*
- C. Information Regarding the U.S./Canada Columbia River Treaty and the Columbia River Treaty 2014/2024 Review Process (2:00 pm – 2:30 pm)**  
Ruben Ochoa, Water Policy Analyst, will provide an update on the Columbia River Treaty. *This is an informational report only.*

**D. Request for an Exception to the Willamette Basin Program by NRI, Inc. and Pyxis Labs, Application G-17454, pursuant to ORS 536.295 (2:30 pm – 3:00 pm)**

Dwight French, Water Rights Services Administrator, and Tim Wallin, Water Right Manager, will present a request from NRI, Inc. and Pyxis Labs for the Department to consider a water right application requesting a use not included in the Willamette Basin Program. *The Commission will be asked to approve the request.*

**BREAK (3:00 pm – 3:15 pm)**

**EXECUTIVE SESSION: Thursday, November 15, 3:15 p.m.**

*The Commission will consult with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. The executive session is being conducted pursuant to ORS 192.660(2)(h) and is closed to the public (please see page 4).*

**COMMISSION MEETING: Friday, November 16 (8:00 am)**

**E.. Approval of Minutes**

The minutes of the August 2 and 3, 2012 meeting will be presented for Commission approval. *The Commission will be asked to approve the minutes.*

**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**

Director Phil Ward will update the Commission on Department business and late-breaking issues. *This is an informational report only.*

**H. Approval of 2013 Water Resources Commission Schedule**

A tentative schedule of meetings for 2013 will be presented for Commission approval. *The Commission will be asked to approve the meeting schedule.*

**I. Integrated Water Resources Strategy (IWRS) Implementation (8:30 am – 9:15 am)**

Brenda Bateman, Senior Policy Coordinator, and Alyssa Mucken, IWRS Policy Coordinator, will share IWRS work products so far, as well as partner feedback, and updates to the 2013 Work Plan. Kirk Jarvie, Department of State Lands, will present the 2012 Water-Related Permitting Guide to the Commission. *This is an informational report only.*

**J. Legislative Preview – 2013 Legislative Session (9:15 am – 10:30 am)**

Brenda Bateman, Senior Policy Coordinator, will provide updates related to the composition of the Oregon Legislature and status of the Department's legislative concepts. Guest speakers from the water lobby will share their insights into the coming legislative session. Guest speakers include: John DeVoe, WaterWatch of Oregon; Katie Fast, Oregon Farm Bureau; Robin Freeman, League of Oregon Cities; Joe Furia, Freshwater Trust; Teresa Huntsinger, Oregon Environmental Council; Mark Landauer, Special Districts Association of Oregon; Helen Moore, Water for Life; Leslie Bach, The Nature Conservancy; Jeff Stone, Oregon Association of Nurseries; and Jim Welsh, Oregon Cattlemen's Association (invited). *This is an informational report only.*

**BREAK (10:30 am – 10:45 am)**

**K. 2013-15 Budget Update (10:45 am – 11:00 am)**

Tracy Loudon, Administrative Services Administrator, will provide an update on the Department's current financial situation and the development of the 2013-15 Budget. *This is an informational report only.*

\* **L. Request for Adoption of Rules for the Five Coastal Basins - OAR 501, 515, 516, 517 and 518 (11:00 am – 11:30 am)**

Dwight French, Water Rights Services Administrator, and Tim Wallin, Water Right Manager, will present a request to adopt final proposed rules, modernizing the Department's five coastal basin programs removing obsolete text, noting withdrawn waters, updating reference to organization and cleaning up grammar and errors. *The Commission will be asked to adopt the final proposed rules.*

**M. Approval of Appointments to the Groundwater Advisory Committee (11:30 am – 11:45 am)**

Ivan Gall, Groundwater Manager, will present recommendations to fill three positions on the Groundwater Advisory Committee (GWAC). The nine-person citizen panel advises the Department and Commission on issues pertaining to groundwater and well construction policies. *The Commission will be asked to approve the proposed appointments.*

**N. Public Comment (approximately 11:45 am)**

**O. 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, the 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 11:45 am.

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 that sets state water policy and oversees activities of the Water Resources Department.*

John Jackson, Chair	Cornelius	Northwest Region	2013
Charles Barlow, Vice-Chair	Nyssa	Eastern Region	2013
Mary Meloy	Bend	North Central Region	2013
Jeanne LeJeune	Portland	West Side at Large	2016
John Roberts	Medford	Southwest Region	2016
Ray Williams	Milton-Freewater	East Side at Large	2013
Carol Whipple	Elkton	West Central Region	2013

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## **DIRECTIONS TO THE MEETING**

### **From I-5**

Take Exit 256 (Market Street). Heading west on Market, go approximately 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 90 minute 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.