



Oregon

John A. Kitzhaber, MD, 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

MEMORANDUM

TO: Water Resources Commission

FROM: Phillip C. Ward, Director

SUBJECT: Agenda Item M, November 16, 2012
Water Resources Commission Meeting

Commission Approval of Appointments to the Groundwater Advisory Committee

I. Issue Statement

The nine-member Groundwater Advisory Committee (GWAC) has three members whose terms expire on November 30, 2012. OAR Chapter 690, Division 235 rules describe a process for soliciting candidates (Attachment 1). Staff used this process to generate a list of candidates for the three open positions.

II. Background

The Commission's Groundwater Advisory Committee is appointed and charged with certain duties pursuant to ORS 536.090 (Attachment 1). These duties include: (1) advice on all matters relating to rules for the development, securing, use, and protection of groundwater; (2) licensing and examination of well constructors; and (3) review of the proposed expenditures of start card fee revenue. The Committee consists of nine members who represent a range of interests and expertise, with at least three of the members actively engaged in some aspect of the water supply or monitoring well drilling industry.

The Commission's rules under OAR Chapter 690, Division 235 provide a process to identify GWAC candidates, prescribe a range of categories of expertise that may be represented on GWAC, and allow appointments for up to three years. The rules result in the expiration of three appointments each year, thus staggering membership. Any mid-term vacancy is filled for the remainder of the term. Each year, staff seek Commission action on GWAC appointments and/or reappointments. It is Commission direction that appointments be limited to two terms (six years).

III. Discussion

The terms for Bill Blair, Bob Jones, and Lynne Paretchan expire on November 30th, 2012. Mr. Jones and Ms. Paretchan have completed their second terms and have reached the limitation of service on the committee. Mr. Blair is completing his first term. All three are stepping down from the committee.

Mr. Blair is a water well driller and serves in the “Monitoring/Water Well Industry” category. Mr. Jones is a geologist with the Medford Water Commission, and has represented the “local government” categories on the committee. Ms. Paretchan is a business owner and attorney from Portland, Oregon, and has represented the “multiple backgrounds” category on the committee. Mr. Blair, Mr. Jones and Ms. Paretchan have provided their experience and expertise to the Department and the Commission during their tenure on GWAC. The Department appreciates their commitment and contributions.

In accordance with the rule process, GWAC has three positions that must be filled. In order to comply with statute, one of the positions must be filled by a person who is actively engaged in some aspect of the water supply or monitoring well drilling industry. The other two positions would represent other interests or expertise, including hydrogeology and local government. Current GWAC membership is listed on Attachment 2.

Recruitment for GWAC candidates included reviewing recommendations from individuals, organizations, and Department staff. Notice of the recruitment was sent to individuals on the GWAC mailing list maintained by the Department. The notices advised interested parties of the committee vacancies and asked that those wishing to be considered for a position on GWAC notify the Director.

A total of five individuals expressed interest in filling the three vacant positions. The candidate’s qualifications provide a wide range of experience. The Department recommends the appointment of Kevin Kelty to replace Bill Blair in the Monitoring/Water Well Industry category, the appointment of Rod Rice to replace Bob Jones in the local government category; and the appointment of Said Amali to replace Lynne Paretchan in the Multiple Backgrounds Category. Terms for these three members would begin on December 1, 2012 and continue through November 30, 2015.

Kevin Kelty is an Oregon licensed monitoring well constructor and an Oregon Registered Geologist. Mr. Kelty has 25 years of environmental consulting experience designing and installing monitoring wells, conducting aquifer tests and supervising soil and groundwater contaminant investigations.

Rod Rice is a Deputy County Administrator for Washington County. Mr. Rice has worked for Washington County in various roles for 34 years, and currently is the County’s administrative liaison to Watermaster District 18. Mr. Rice’s current role involves responsibility for payroll approval, personnel actions, contract administration, and the use of County resources.

Said Amali is the principal for Amali Consulting LLC, a groundwater and engineering consulting company in Beaverton. Mr. Amali has expertise in multiple technical, business, and planning disciplines, including extensive experience and knowledge of groundwater in both eastern and western Oregon. Mr. Amali holds a PhD in Environmental Soil Physics from UC Davis and a MS (Soil Science) and a BS (Agricultural Engineering) from Oregon State University.

IV. Alternatives

The Commission may consider the following alternatives:

1. Appoint Kevin Kelty, Rod Rice, and Said Amali to GWAC terms beginning December 1, 2012 through November 30, 2015.
2. Direct staff to return to the next Commission meeting with another slate of appointments, which reflects a different set of interest categories and/or candidates.

V. Recommendation

The Director recommends that the Commission follow Alternative 1 and appoint the recommended slate of candidates for the stated terms.

Attachments:

1. ORS 536.090 and OAR 690-235
2. Current GWAC Membership

Ivan Gall
(503) 986-0847

Attachment 1

536.090 Ground water advisory committee; duties; qualification; term; expenses.

(1) In carrying out the duties, functions and powers prescribed by law, the Water Resources Commission shall appoint a ground water advisory committee to:

(a) Advise the commission on all matters relating to:

(A) Rules for the development, securing, use and protection of ground water; and

(B) Licensing of well constructors, including the examination of such persons for license.

(b) Review the proposed expenditure of all revenues generated under ORS 537.762(5). At least once each year, and before the expenditure of such funds on new program activities, the Water Resources Department and the ground water advisory committee shall develop jointly a proposed expenditure plan for concurrence by the Water Resources Commission. The plan may be modified, if necessary, upon the joint recommendation of the department and the ground water advisory committee with concurrence by the commission.

(2) The committee shall consist of nine members who represent a range of interests or expertise. At least three of the members shall be individuals actively engaged in some aspect of the water supply or monitoring well drilling industry. Members shall serve for such terms as the commission may specify.

The committee shall meet at least once every three months and at other times and places as the commission may specify.

(3) A member of the committee shall not receive compensation, but at the discretion of the commission may be reimbursed for travel expenses incurred, subject to ORS 292.495.

Oregon Administrative Rules

690-235-0005 Ground Water Advisory Committee: Appointments, Terms, and Qualifications

(1) There is created the Ground Water Advisory Committee consisting of nine members appointed by the Commission: Three of whom shall be individuals actively engaged in some aspect of the water supply or monitoring well drilling industry. Members shall be residents of Oregon.

(2) Each member shall be appointed for a term of up to three years. When a vacancy occurs before the expiration of a term, the vacancy shall be filled by appointment for the remainder of the unexpired term only. Terms shall be staggered. Three of the terms shall expire each year.

(3) The Commission shall consider geographic representation, population representation, as well as a range of interests and expertise in the selection of members. The committee shall be

composed of individuals with expertise in and representing interests of one or more of the following: well drilling industry, hydrogeology, irrigation, local government, Indian Tribes, environment, public health, industry, commerce, water project development, watershed enhancement, instream flow, agriculture, well pump installation, exempt ground water users, any other category with a ground water interest. The Commission shall give consideration to individuals with multiple category backgrounds.

(4) Officers of Committee: The Committee shall select one of its members as Chair and another as Vice-Chair. Maximum terms of officers shall be two years for each position within six consecutive years.

(5) Meetings of the Committee: The Committee shall meet at least once every three months at locations specified by the Director.

(6) Members may receive travel expenses subject to [ORS 292.495](#).

(7) The Department shall solicit candidates for the committee in anticipation of an appointment. The Department shall mail notice seeking candidates to all persons and organizations which have filed with the Department a written request to be included on the mailing list maintained for the Ground Water Advisory Committee. Appointments to the committee are not limited to individuals submitted for consideration as a result of the solicitation process set forth above.

690-235-0020 Ground Water Advisory Committee Duties

The Committee shall consider and advise the Commission on all matters relating to:

(1) Rules, legislation, and public policy for the development, securing, use, and protection of groundwater.

(2) Licensing of well constructors, including the examination of such persons for license.

(3) Review the proposed expenditure of all revenues generated under [ORS 537.762\(5\)](#). At least once a year, and before the expenditure of such funds on new program activities, the Water Resources Department and the Committee shall develop jointly a proposed expenditure plan for concurrence by the Water Resources Commission. The plan may be modified, if necessary, upon the joint recommendation of the Department and the Committee with concurrence by the Commission.

Attachment 2

Groundwater Advisory Committee Members	
Rob Turkisher Benton County Health Department Corvallis, Oregon	Serving in Local Government Category Chair 2nd Term Expires 11/0/2014
Bill Blair Dickerson Well Drilling Dallas, Oregon	Serving in Monitoring/Water Well Industry Category 1st Term Expires 11/30/2012
Michael Campana Oregon State University Corvallis, Oregon	Serving in the Hydrogeologist Category 1st Term expires 11/30/2014
Jim Carlton Merrill, Oregon	Serving in the Groundwater User Category 1st Term Expires 11/30/2013
Kevin Gill Clouser Drilling Cave Junction, Oregon	Serving in Monitoring/Water Well Industry Category 2nd Term Expires 11/30/2014
Bob Jones Medford Water Commission Medford, Oregon	Serving in Multiple Backgrounds Category 2nd Term Expires 11/30/2012
John Messner West Linn, Oregon	Serving in Environmental Background 1st Term Expires 11/30/2013
Lynne Paretchan Perkins Coie LLP Portland, Oregon	Serving in Multiple Backgrounds Category Vice-Chair 2nd Term Expires 11/30/2012
Garry Zollman Pendleton, Oregon	Serving in Monitoring/Water Well Industry Category 1st Term Expires 11/30/2013