



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

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MEMORANDUM

TO: Water Resources Commission

FROM: Thomas J. Paul, Acting Director

SUBJECT: Agenda Item D, August 21, 2014
Water Resources Commission Meeting

Commission Approval of Appointment to the Groundwater Advisory Committee

I. Introduction

The nine-member Groundwater Advisory Committee (GWAC) has one member, Rod Rice, who retired from public service during 2014 and will no longer serve on GWAC. Staff conducted a recruitment to find a replacement to fill the open position through the remainder of the term, ending November 2015.

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 term for Rod Rice expires on November 30, 2015. Mr. Rice has retired from public service and will no longer be serving on GWAC. Mr. Rice was an administrator for Washington County, and served in the “Multiple Backgrounds” Category for GWAC. Mr. Rice has provided valuable experience and expertise to the Department and the Commission during his tenure on GWAC. The Department appreciates his commitment and contributions.

In accordance with the rule process, GWAC has one position that must be filled. Current GWAC membership is listed on Attachment 2. One individual, Tom Pattee, has expressed interest in filling the vacant position. The candidate’s qualifications provide a wide range of experience. Mr. Pattee has been the coordinator for the Groundwater and Source Water Protection Program at the Oregon Health Authority since 2008. Mr. Pattee has a B.S. in Geology from the University of Oregon and a M.S. in Geology from Northern Illinois University. Mr. Pattee is a registered geologist in Oregon and a current member of the National Ground Water Association.

The Department recommends the appointment of Tom Pattee to fill the position vacated by Mr. Rice. The term for Mr. Pattee would begin immediately upon appointment and continue through November 30, 2015.

IV. Alternatives

The Commission may consider the following alternatives:

1. Appoint Tom Pattee to GWAC effective upon appointment through November 30, 2015.
2. Direct staff to return to the next Commission meeting with another candidate, which reflects a different set of interest categories and/or candidates.

V. Recommendation

The Director recommends that the Commission adopt Alternative 1 and appoint Tom Pattee for the stated term.

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

Ivan Gall
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Oregon Revised Statutes

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.

Groundwater Advisory Committee Members	
Rob Turkisher Benton County Health Department Corvallis, Oregon	Serving in Local Government Category Chair 2nd Term Expires 11/30/2014
Said Amali Integral Consulting Inc. Portland, Oregon	Serving in Multiple Backgrounds Category 1st Term Expires 11/30/2015
Michael Campana Oregon State University Corvallis, Oregon	Serving in the Hydrogeologist Category 1st Term expires 11/30/2014
Jim Carleton Merrill, Oregon	Serving in the Groundwater User Category 2nd Term Expires 11/30/2016
Kevin Gill Clouser Drilling Grants Pass, Oregon	Serving in Monitoring/Water Well Industry Category Vice-Chair 2nd Term Expires 11/30/2014
Chris Hyatt Hyatt GeoSciences LLC Portland, Oregon	Serving in Environmental Background Category 1st Term Expires 11/30/2016
Kevin Kelty Soil Solutions Portland, Oregon	Serving in Monitoring/Water Well Industry Category 1st Term Expires 11/30/2015
Vacant	Serving in Multiple Backgrounds Category
Garry Zollman Zollman's Larry Burd Well Drilling, LLC Pendleton, Oregon	Serving in Monitoring/Water Well Industry Category 2nd Term Expires 11/30/2016