



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

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OREGON WATER RESOURCES COMMISSION MEETING

November 20 – 21, 2014

Clean Water Services

Tualatin River Conference Room

2550 SW Hillsboro Hwy

Hillsboro, Oregon 97123

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 will be provided at approximately 12:15 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 may be limited (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/.

TOUR: Thursday, November 20

The Commission will depart from Clean Water Services at 8:00 am. They will tour the Tualatin Basin to see how water managers are working together to assess, plan, and implement actions to meet current and long-term water needs. The group will return to Clean Water Services at 12:00 pm.

Individuals attending the tour should bring comfortable close-toed shoes/boots, a jacket, hat, and an umbrella.

The public is invited to attend the tour, but transportation will be provided only for Commissioners and Department staff. If you wish to join the tour, you must make your own transportation arrangements. Please contact Cindy Smith at (503) 986-0876 by close of business, Friday, November 14, if you plan to attend.

EXECUTIVE SESSION: Thursday, November 20 (12:45 pm)

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

COMMISSION MEETING: Thursday, November 20, (1:30 pm)

A. Welcome by Clean Water Services (1:30 pm – 1:45 pm)

Bill Gaffi, General Manager of Clean Water Services, will welcome the Commission and staff.

*** B. Consideration of the Exceptions and Issuance of Final Order in the Matter of the Proposed Cancellation of the Water Right Certificate 3943 (1:45 pm – 2:00 pm)**

Dwight French, Water Right Services Division Administrator, will ask the Commission to issue a final order. *The Commission will be asked to approve or deny the final order.*

C. Place-Based Integrated Water Resources Planning Draft Guidelines (2:00 pm – 3:00 pm)

Brenda Bateman, Technical Services Administrator, and Alyssa Mucken, IWRS Program Coordinator, will provide a draft of place-based planning guidelines and request feedback from the Commission. *The Commission will be asked to provide input on policy questions pertaining to place-based planning.*

BREAK (3:00 pm – 3:15 pm)

D. Update on SB 839 Task Forces (3:15 pm – 3:45 pm)

Brenda Bateman, Technical Services Administrator, and Racquel Rancier, Senior Policy Coordinator, will update the Commission on the work of the Seasonally Varying Flows and Governance Task Forces. *This is an informational report.*

E. Overview of the West Coast Infrastructure Exchange (3:45 pm – 4:15 pm)

Chris Taylor, Executive Director of the West Coast Infrastructure Exchange, will provide an overview of efforts to develop innovative new methods to finance and facilitate development of infrastructure. *This is an informational report.*

F. Review of New State Scenic Waterway Reports (4:15 pm – 5:15 pm)

Dwight French, Water Right Services Division Administrator, will provide an update on efforts to study new river sections for Scenic Waterway Designation. *This is an informational report.*

COMMISSION MEETING: Friday, November 21 (8:00 am)

G. Approval of Minutes

The minutes of the August 21 and 22, 2014 meeting, and the September 25, 2014 teleconference, will be presented for Commission approval. *The Commission will be asked to approve the minutes.*

H. Approval of 2015 Water Resources Commission Schedule

A tentative schedule of meetings for 2015 will be presented for Commission approval. *The Commission will be asked to approve the meeting schedule.*

I. Commission Comments

Commissioners will report on their recent activities, share information, and comment on a variety of water resource topics.

J. Director's Report

Director Tom Byler will update the Commission on Department business and late-breaking

issues. *This is an informational report.*

K. Budget Update: 2015-17 Revenue Forecast (8:45 am – 9:00 am)

Tracy Louden, Administrative Services Division Administrator, will provide an update on the most recent revenue forecast and the status on development of the 2015-17 biennium budget. *This is an informational report.*

L. Approval of Appointments to the Groundwater Advisory Committee (9:00 am – 9:15 am)

Ivan Gall, Groundwater Manager, will present recommendations to fill three positions on the Groundwater Advisory Committee (GWAC). *The Commission will be asked to approve the proposed appointments.*

*** M. Dam Safety Program Overview (9:15 am – 9:45 am)**

Brenda Bateman, Technical Services Division Administrator, and Keith Mills, Acting State Engineer, will present an overview of Oregon's dam safety program. *This is an informational report only.*

BREAK (9:45 am – 10:00 am)

*** N. Request for Adoption of Rules – OAR 690-340-0030, 690-340-0040, 690-310-0080, 690-382-0400, Revisions to Transaction Fees (10:00 am – 10:15 am)**

Dwight French, Water Right Services Division Administrator, will present a request for adoption of permanent rules to adjust fees set by rule. *The Commission will be asked to approve or deny the permanent rules.*

*** O. Request for Adoption of Rules – OAR Chapter 690, Division 33, Upper Columbia Rules (10:15 am – 10:45 am)**

Dwight French, Water Right Services Division Administrator, will present a request for adoption of permanent rules to achieve consistency with ODFW Habitat Mitigation rules. *The Commission will be asked to approve or deny the permanent rules.*

*** P. Request for Adoption of Rules – OAR Chapter 690, Division 325, Assignment of a Water Right Permit and Request for Issuance of Replacement Permits (SB 200, 2013 Session) (10:45 am – 11:15 am)**

Dwight French, Water Right Services Division Administrator, will present a request for adoption of permanent rules to allow a permit to be split amongst two or more property owners. *The Commission will be asked to approve or deny the permanent rules.*

*** Q. Request for Adoption of Rules – OAR Chapter 690, Division 200, 210, 215 and 240, Well Construction (11:15 am – 11:45 am)**

Brenda Bateman, Technical Services Administrator, and Kris Byrd, Enforcement Manager, will present a request for adoption of permanent rules to focus on bentonite seals, deepening, sparge wells, grout reporting, and closed loops. *The Commission will be asked to approve or deny the permanent rules.*

R. Informational Report on District 18 and 2013 Field Regulation and Enforcement Activities (11:45 am – 12:15 pm)

Mike McCord, NW Region Manager, and Jake Constans, District 18 Watermaster, will provide a brief presentation on field activities. *This is an informational report only.*

S. Public Comment (approximately 12:15 pm)

T. 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 12:15 pm.

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 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 Roberts, Chair	Jacksonville	Southwest Region	2016
Ray Williams, Vice-Chair	Milton-Freewater	East Side at Large	2017
Dennis Doherty	Hermiston	North Central Region	2017

Jeanne LeJeune	Portland	West Side at Large	2016
Bruce Corn	Ontario	Eastern Region	2017
Bob Baumgartner	Tigard	Northwest Region	2017
Carol Whipple	Elkton	West Central Region	2017

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DIRECTIONS TO THE MEETING

I-5 North Bound from Salem

Head north on I-5, take Exit 286, toward Boones Ferry Road, keep left to take ramp towards Boones Ferry Road. Merge onto SW Elligsen Road. SW Elligsen road becomes SW Boones Ferry Road. Go 0.3 miles, turn left onto SW Day Road. Go 0.6 miles, take first right onto SW Grahams Ferry Road. Go 0.5 miles, take 2nd left onto SW Tonquin Road. Go 2.5 miles, turn right onto SW Oregon Street. Go 0.6 miles, turn left onto SW Tualatin Sherwood Road. Go 1.4 miles, SW Tualatin Sherwood Road becomes SW Roy Rogers Road. Go 1.3 miles, turn left onto SW Scholls Sherwood Road. Go 0.5 miles, take 1st right to stay on SW Scholls Sherwood Road. Go 4.3 miles, turn left onto SW Scholls Ferry Road/OR-210. Go 0.7 miles, take 1st right onto SW Hillsboro Hwy/OR-219. Go 8.9 miles. Your destination is on your right. **2550 SW Hillsboro Hwy.**

West Bound from I-84

Head west on I-84, merge onto I-5 towards Salem/Beaverton and travel 1.5 miles. Merge onto I-405 N, go 1.0 miles towards City Center/US-26/Beaverton. Merge onto US-26 W/Sunset Hwy W via Exit 1D toward Beaverton/Ocean Beaches and go 11.7 miles. Take exit 62A, Cornelius Pass Road, go 1.0 miles. Turn right onto NE Cornell Road, go 4.0 miles. NE Cornell becomes NE 10th Avenue, go 0.2 miles. Turn right onto SE Baseline Street/OR-8, go 0.8 miles. Turn left onto S 1st Avenue/OR-219, go 1.2 miles on OR-219 (SW Hillsboro Hwy). Your destination is on your left. **2550 SW Hillsboro Hwy.**

PARKING:

Parking is available on site.