



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

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FOR IMMEDIATE RELEASE
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WATER RESOURCES DEPARTMENT EXTENDS PUBLIC COMMENT ON OFF-PROJECT UPPER KLAMATH BASIN GROUNDWATER RULES Open House and Public Hearing Scheduled for February

The Oregon Water Resources Department is requesting public comment on proposed rules regarding the regulation of groundwater rights within the off-project area of the Upper Klamath Basin to benefit senior water right holders, consistent with the Upper Klamath Basin Comprehensive Agreement. The off-project area includes the Sprague River Basin, Williamson River Basin, and Wood River Valley, including Sevenmile Creek.

The public comment period opened on January 1, 2015 and the Department conducted hearings and open houses in the basin January 15 and 16. Comments received to date will be reviewed and included in the record. Prior to the hearings, the Department realized that the original notice of the rulemaking describes the off-project area as the areas covering the Wood, Williamson and Sprague River drainages. The notice should have said the "Wood River Valley" instead of "drainage," as Sevenmile Creek does not drain into the Wood River. The draft rules correctly reference these areas (see area of rule applicability in Attachment B of the draft rules); therefore, the draft rules have not been modified. However, the Department has determined that the notice needs to be changed to ensure that individuals in the Sevenmile Creek area have proper notice and the opportunity to comment.

The Department is re-noticing and extending the close of the public comment period for everyone from February 17 to March 2, 2015. In addition, the Department has scheduled another public hearing in February for members of the public to submit oral comments. Prior to the public hearing, the Department will host an open house to provide members of the public an opportunity to ask questions about the rules, rulemaking process, or groundwater. More information is provided below.

A copy of the draft proposed rules, the statement of need and fiscal impact, and notice of rulemaking are available at: www.oregon.gov/owrd/Pages/law/Department_Rulemaking.aspx.

Written Comments

The public may submit written comments to the Department by mail, email, or fax. Written comments must be received no later than 5:00 PM on March 2, 2015. According to state law, the Department cannot consider comments that are received after the public comment deadline closes.

Submit comments to:

Mail: Rule Coordinator, Oregon Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1271
Fax: 503.986.0903, Attn: Rule Coordinator
Email: rule-coordinator@wrđ.state.or.us

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Public Hearing and Open House

Oral and written comments will be accepted during the public hearing. Members of the public that cannot attend the public hearing can submit comments in writing. Both written and oral comments are considered equally and will be reviewed by the Department.

In order to ensure that all members of the public have the opportunity to comment, the hearings officer will only accept oral and written comments during the public hearing. Members of the public that have questions about the rules are encouraged to attend the Open House, which will be held prior to the public hearing. At the Open House, Department staff will be available to answer questions about the rules, as well as any other questions relating to groundwater in the basin.

Public Hearing and Open House Schedule

February 18, 2015

Oregon Institute of Technology, Mt. Mazama Room

3201 Campus Drive, Klamath Falls, OR

Open House: 5:00 pm – 6:00 pm

Public Hearing: 6:00 pm – 7:00 pm

Questions

For questions about this rulemaking, contact Joshua Spansail, Rules Coordinator, at (503) 986-0874 or Joshua.A.Spansail@wrd.state.or.us.

Overview of the Rulemaking Process

The rulemaking process involves several steps. First, an initial draft of the rules is developed by Department staff. After that, a Rules Advisory Committee (RAC), composed of members of the public, provides staff with input on the initial draft rules and the costs associated with the rules.

The RAC meetings were held in October through December and included several upper basin water right holders, as well as individuals from the Klamath Water Users Association, U.S. Geological Survey, The Klamath Tribes, Water for Life, WaterWatch, City of Klamath Falls, The Nature Conservancy, and Crater Lake National Park. The meetings were open to the public. Based on the feedback received from the RAC, Department staff revised the initial draft rules.

After that, the proposed rules are released for public comment and the public has the opportunity to provide written comments or to provide comments during public hearings. Department staff will review all comments received. Following the close of the public comment period, staff will develop a report and proposed final rules for consideration and adoption by the Oregon Water Resources Commission. These rules are tentatively set to be considered by the Oregon Water Resources Commission in March 2015.

Stay Informed

The Department would like to invite all persons interested in this rulemaking to sign up to receive email updates to stay informed about the rulemaking and opportunities for public comment. To sign up, please visit: http://listsmart.osl.state.or.us/mailman/listinfo/owrd_klamath_gw_rulemaking.

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