

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on October 11, 2002 by the
Date prior to or same as filing date.

Water Resources Commission
Agency and Division

690
Administrative Rules Chapter Number

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to become effective November 1, 2002 Rulemaking Notice was published in the July, 2002 Oregon Bulletin.**
Date upon filing or later Month and Year

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

ADOPT:

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

See attached

AMEND:

See attached

REPEAL:

Renumber: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

Amend and Renumber: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

See attached

ORS 536.027, 537.211 and 540.572
Stat. Auth.: ORS

Other Authority

ORS 537.230, 537.630 and 539.010
Stats. Implemented: ORS

RULE SUMMARY

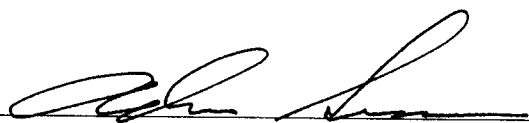
Under ORS 537.230 and 537.630, the Department may extend the time to complete development of a water use permit. In 1997, the Department undertook a comprehensive review of the permit extension process and recommended rules to the Water Resources Commission (Commission). In October 1998, the Commission simultaneously adopted two versions of permit extension rules. One version — OAR Chapter 690, Division 320 — was applicable through June 30, 2001. The second version — OAR Chapter 690, Division 315 — became effective on July 1, 2001.

During the 1998 permit extension rulemaking, both staff and community water supply stakeholders agreed that their water supply permit extension issues were unique, warranting a separate rule development process. To this end, the Division 315 and 320 permit extension rules provided an express exemption for municipal water suppliers and the Department convened a work group to review permit extension rules and other laws and issues related to community water suppliers. The Community Water Supply Work Group was formed in November 1998 to accomplish this task.

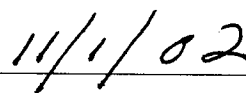
With the input of the work group, stakeholders and natural resource agencies the Department developed rules that were adopted by the Commission under OAR Chapter 690, Division 315 (permit extensions) and OAR Chapter 690, Division 86 (water management and conservation plans).

The permit extension rules under Chapter 690, Division 315 apply to all extension applications, both pending and future, by holders of municipal and quasi-municipal water use permits seeking additional time to complete construction and/or apply water to beneficial use. The rules set forth application requirements, criteria for Department review and criteria for determining time of extension. The rules also link the authorization to increase diversion of water under a permit extension to the submittal and approval of a water management and conservation plan under OAR Chapter 690, Division 86.

The water management and conservation plan rules under OAR Chapter 690, Division 86 reorganize the rules for readability for both municipal and agricultural water suppliers; however, they do not substantively modify provisions related to agricultural water suppliers. For municipal water suppliers, the rules strengthen the linkage between permit extensions and the requirement to develop a water management and conservation plan. They provide clear approval criteria and more specific requirements, based on size of the water supplier and resource concerns, related to conservation measures and water use development. The rules also require benchmarks and progress reports for evaluating the implementation of conservation measures, and establish standards for determining the quantity of water that may be diverted under a municipal or quasi-municipal water use permit extended under OAR Chapter 690, Division 315.



Authorized Signer



Date

*Copies include a photocopy of this certificate with paper copy of each rule listed in the Rulemaking Action.

**The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 p.m. on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 p.m. on the preceding workday.

Rulemaking Action for Division 86

Amend

690-086-0010
690-086-0020
690-086-0120
690-086-0140
690-086-0220
690-086-0240
690-086-0910
690-086-0920

Adopt

690-086-0100
690-086-0125
690-086-0130
690-086-0225
690-086-0900

Renumbered

690-086-0110 to 690-086-0030
690-086-0210 to 690-086-0040
690-086-0140(2) to 690-086-0150
690-086-0140(3) to 690-086-0160
690-086-0140(4) to 690-086-0170
690-086-0240(2) to 690-086-0250
690-086-0240(3) to 690-086-0260
690-086-0240(4) to 690-086-0270
690-086-0910(1)(2) to 690-086-0905
690-086-0910(7) to 690-086-0915

Rulemaking Action for Division 315

Amend

690-315-0010
690-315-0020

Adopt

690-315-0070
690-315-0080
690-315-0090
690-315-0100

Renumbered

N/A

**OREGON ADMINISTRATIVE RULES
WATER RESOURCES DEPARTMENT
CHAPTER 690
DIVISION 86
WATER MANAGEMENT AND CONSERVATION PLANS**

690-086-0010

Purpose

(1) The Water Resources Commission has adopted a statewide policy on Conservation and Efficient Water Use (OAR 690-410-0060). The policy requires major water users and suppliers to prepare water management and conservation plans. These rules provide a [*pilot*] process to **ensure the** [*evaluate the effectiveness of conservation planning in achieving more*] efficient **use of the state's water resources** [*use*] and to **facilitate water supply planning** [*preventing waste*] consistent with water supplier and Department capabilities. **The Commission shall evaluate implementation of these rules within three years and every three years thereafter.** [*The Commission will review implementation of these rules and consider modifications in the planning requirements and the possible extension of the requirements to other water suppliers or users within two years.*]

(2) Many regions of Oregon face periodic and increasingly frequent water shortages during summer periods. Urbanization is resulting in a continually expanding need for municipal water supplies. **In addition, many communities are faced with the need to reduce their impacts on the resource in response to state or federal listings of stream-flow dependant species as sensitive, threatened or endangered, water quality problem, and other flow issues.** It is increasingly important to the state's economy to maintain adequate stream flows to support aquatic life, provide recreational opportunities and maintain water quality. The continued implementation of conservation measures can help restore streamflows, stabilize water supplies and provide for future needs for economic development and growth.

(3) **Pursuant to ORS 540.610(3) the** [*The*] use of water at a rate or duty which is less than the maximum amount allowed under a water right **that** [*which*] is achieved through improved water management practices is not a forfeiture under **certain circumstances.** [*ORS 540.610.*] However, conserved water may only be used on additional acres or for other purposes not included in the original right after allocation of conserved water under ORS 537.455 to 537.500 or under other specific statutory authorizations. [*For additional information see correspondence from the Department of Justice regarding DOJ File No. 690-001-NR002-94, February 15, 1994.*]

(4) Effective water management requires an evaluation of the adequacy of water supplies to meet current and future needs, [*Water management and conservation plans will identify*] **identification of** planned modifications in water systems, and development of new water supplies. However, the approval of a water management **and conservation** plan shall not substitute for compliance with Statewide Planning Goals or [*nor*] any other comprehensive land use planning requirement or constitute approval of applications for water rights, water reservations, water storage facilities, **transfers, permit amendments,** or extensions of time for permits.

(5) Water management and conservation plans will provide information important in water resources planning and management. In addition, the plans may provide support for applications for water use permits and water right transfers, **permit amendments**, and requests for extensions of permits, approvals of exchanges, and reservations of water. Due regard shall be given to any relevant approved water management and conservation plans during **Department** consideration of these applications and requests.

(6) Regional cooperation will improve water management and help to facilitate implementation of conservation measures. Water suppliers required under OAR 690-086-0010 to OAR 690-086-0920 to prepare water management and conservation plans, and any other suppliers or users, may jointly submit a single plan *[which]* **that** addresses the suppliers' conservation opportunities and water development needs.

(7) A **water management and** conservation *[and curtailment]* plan that has been approved under *[OAR 690-86-0910]* **these rules may, at the option of the water supplier, be used to** *[will]* satisfy a condition requiring preparation of a conservation plan in an emergency use permit issued pursuant to OAR 690-019-0040 and a requirement for submittal of a curtailment plan in times of a declared or likely drought under an order issued pursuant to ORS 536.780 and OAR 690-019-0090.

(8) **Many water use permits that have been issued to water suppliers include conditions requiring** *[These rules provide the standards for the]* preparation of *[the]* **water** conservation, *[and]* long-term water supply, **and other water management** plans *[required under conditions in water use permits issued by the Department]*. **These rules provide standards for the preparation of such plans. Unless other more specific or stringent requirements are included in a permit** *[Unless otherwise specifically noted in a permit condition]*, water management and conservation plans that have been approved under OAR 690-086-09[10]15 **shall be deemed to** *[will]* meet the **permit condition** *[requirements for the plans]*.

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: WRD 11-1994, f. & cert. ef. 9-21-94; WRD 10-2002, f. & cert. ef. 11-1-02

DEFINITIONS

690-086-0020

General Definitions

As used in OAR 690-086-0010 to 690-086-0920 *[for preparation and approval of water management and conservation plans]*:

(1) **"Affected local governments"** means any local government as defined in OAR 690-005-0015, within whose jurisdiction the diversion, conveyance, or use of water is established or proposed within the context of the water management and conservation plan.

(2) *[(1)]* "Commission" means the Water Resources Commission.

(3) *[(2)]* "Conservation" has the meaning provided in OAR 690-400-0010.

NOTE: OAR 690-400-0010(5) defines conservation as eliminating waste or otherwise

improving efficiency in the use of water while satisfying beneficial uses by modifying the technology or method for diverting, transporting, applying or recovering the water; by changing management of water use; or by implementing other measures.

(4) [(3)]“Department” means the Water Resources Department.

(5) [(4)]“Director” means the Director of the Water Resources Department or designee.

(6) [(5)]“Waste” has the meaning provided in OAR 690-400-0010.

NOTE: OAR 690-400-0010(16) defines waste as the continued use of more water than is needed to satisfy the specific beneficial uses for which a right was granted. The need for water shall be based on using the technology and management practices that provide for the efficient use of water considering:

(a) The economic feasibility of use of the technology and management practices by the water user;

(b) The environmental impacts of making modifications;

(c) The available proven technology;

(d) The time needed to make modifications;

(e) Local variations in soil type and weather; and

(f) Relevant water management plans and subbasin conservation plans.

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: WRD 11-1994, f. & cert. ef. 9-21-94; WRD 10-2002, f. & cert. ef. 11-1-02

690-086-0030

Definitions for Municipal Water Suppliers

As used in OAR 690-086-0100 [0110] to OAR [690-086-0140] **690-086-0170 and 690-086-0900 to 690-086-0920:**

[(1) “Affected local governments” means any local government as defined in OAR 690-005-0015, within whose jurisdiction the diversion, conveyance, or use of water is established or proposed within the context of the water management and conservation plan.]

(1) [(2)] “Authorized water uses” means all water uses known and approved by a municipal water supplier. These uses include all metered uses and any other approved uses such as fire-fighting, fire training, system operation needs, **reuse**, or miscellaneous uses.

(2) “**Benchmark**” means the specific incremental activities that a municipal water supplier plans to have completed in implementing conservation measures.

(3) “**Extended permit**” means a municipal or quasi-municipal water use permit conditioned by an extension order under OAR Chapter 690, Division 315 or 320 to provide that diversion of water beyond the maximum rate diverted under the permit or previous extension(s) shall only be authorized upon issuance of a final order approving a water management and conservation plan.

(4) [(3)]“Low water use landscaping” means conserving water through designing landscapes for low water use, [practical lawn areas, efficiently] irrigating **efficiently**, improving soil and planting low water use plants.

(5) [(4)]“Metering” means using water meters or other continuous recording devices to

measure and to maintain a record of all water diverted and delivered [*and to bill customers based on the quantities of water used*].

(6) [(5)] "Municipal water supplier" means a publicly or privately owned water distribution system that delivers potable water for community needs, either to individual customers or another distribution system, **or that delivers water primarily for commercial or industrial uses.**

(7) [(6)] "System leak detection" means a program to monitor leakage throughout the transmission and distribution systems of a municipal water supplier. [*using the methods and technology appropriate to the size and financial capabilities of the municipal water supplier and the amount of water lost as determined through water audits*]

(8) [(7)] "System leakage" means all water that is lost from a municipal water supply system, **not including major breaks that are expeditiously repaired** [*through leaks and breaks and includes all unavoidable leaks and all recoverable leaks, but does not include*], **and un-metered authorized or unauthorized uses.**

(9) [(8)] "Water audit" means an analysis of a municipal water supply system that includes a thorough accounting of all water into and out of the system to identify system leakage and metered or estimated use for authorized and unauthorized water uses. The audit also includes an analysis of the water supplier's own water use **to identify alternatives to increase efficiency.**

(10) [(9)] "Water curtailment element [*plan*]" means a [*plan*] **program** to accomplish a specific reduction in the amount of water used or lost within a specific time in response to an emergency or other short-term shortage.

(11) [(10)] "Water service connections" means water supply connections to the water delivery system[.], **including the water supplier's own connections, but does not include connections for uses such as** [*Such connections do not include the water supplier's*] fire hydrants, fire sprinkler systems [*connections*] with flow alarms or detector-checks, water line blow-offs and drains, stand-by emergency interties, valve controlled drinking fountains or other similar intermittently used [*connections*] **equipment or facilities.**

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: (Renumbered from OAR 690-086-0110); WRD 10-2002, f. & cert. ef. 11-1-02

690-086-0040

Definitions for Agricultural Water Suppliers

As used in OAR 690-086-0210 to OAR [690-086-0240] **690-086-0920:**

[(1)] "*Affected local governments*" means any local government, as defined in OAR 690-005-0015, within whose jurisdiction the diversion, conveyance, or use of water is established or proposed within the context of the water management and conservation plan.]

(1) [(2)] "Agricultural water supplier" means any public or private organization, including but not limited to an irrigation district formed under ORS Chapter 545, a drainage district formed under ORS Chapter 547, a water improvement district formed under ORS Chapter 552, a water control district formed under ORS Chapter 553, a corporation organized under ORS Chapter 554, an unincorporated private association or a ditch company, the primary purpose of which is to supply water to others for agricultural uses.

(2) [(3)] "**Agricultural** [*Measuring*] **water measurement**" means using [*a*] measuring devices, including but not limited to weirs, flumes, submerged orifices, gaging stations, and meters, to quantify the rate of flow and the volume of water in a water delivery system.

(3) [(4)] "**Water allocation/curtailment element** [*plan*]" means a **program** [*plan*] to equitably allocate, under existing priorities, a reduced water supply among the water right holders dependent on the supply in response to an emergency or other short-term shortage.

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist. (Renumbered from OAR 690-086-0210); WRD 10-2002, f. & cert. ef. 11-1-02

MUNICIPAL WATER MANAGEMENT AND CONSERVATION PLANS

690-086-0100

Applicability

(1) **Municipal water suppliers are encouraged to prepare water management and conservation plans, but are not required to do so unless a plan is prescribed by a condition of a water use permit; a permit extension; or another order or rule of the Commission.**

(2) **Water management and conservation plans submitted in order to comply with a permit extension order issued after November 1, 2002, are subject to the requirements of these rules.**

(3) **Until November 1, 2003, water management and conservation plans submitted for purposes other than to comply with a permit extension order issued after the effective date of these rules shall be reviewed under OAR Chapter 690, Division 86 adopted by the Commission in 1994, unless the water supplier requests the Department to apply the standards in these rules. After November 1, 2003, all new and updated water management and conservation plans are subject to these rules.**

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: WRD 10-2002, f. & cert. ef. 11-1-02

690-086-0110

(renumbered to 690-086-0030)

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: WRD 10-2002, f. & cert. ef. 11-1-02

690-086-0120

General Provisions

[(1) Municipal water suppliers are encouraged to prepare water management plans, but are not required to do so unless a plan is prescribed by a condition of a water use permit issued under OAR Chapter 690, Division 11.]

(1) [(2)] Each municipal water supplier required to submit a water management and conservation plan shall exercise diligence in implementing the approved plan and shall update

and resubmit a plan consistent with the requirements of **these rules** [OAR 690, Division 86] as prescribed during plan approval.

(2) [(3)] Benchmarks and implementation schedules for conservation measures and other water supply development activities may be modified through the subsequent approval of an updated plan.

(3) Progress reports submitted by municipal water suppliers will be used in determining whether five-year benchmarks are being met, whether the Department will authorize additional diversion of water under extended permits, and/or if schedule changes proposed in updated plans are reasonable and appropriate. [*Water management and conservation plans submitted by municipal water suppliers shall meet the requirements in OAR 690-086-0140 (Plan Elements and Standards).*]

(4) Progress reports submitted by municipal water suppliers shall include:

(a) A list of the benchmarks established under OAR 690-086-0150 and a description of the progress of the municipal water supplier in implementing the associated conservation or other measure;

(b) Average monthly and daily diversions under each right held by the water supplier for the previous five years;

(c) A description of the results of the annual water audit required under OAR 690-086-0150(4)(a); and

(d) A comparison of quantities of water used in each sector as identified and described in OAR 690-086-0140(6) with the quantities of water used in each sector for the previous five years.

(5) Upon receipt of a progress report the Department shall give public notice in the weekly notice published by the Department and provide an opportunity for written public comment. The Department shall provide copies of any comments received to the municipal water supplier.

(6) [(4)] A master plan prepared under the requirements of the Department of Human Resources Health Division or the water supply element of a public facilities plan prepared under the requirements of the Department of Land Conservation and Development which substantially meets the requirements of OAR 690-086-0125 [140] to 690-086-0170 may be submitted to meet the requirements of [*this rule*] **these rules.**

(7) [(5)] In the development of a water management and conservation plan, [E]each municipal water supplier shall consult with the planning departments or appropriate officials of affected local governments to **obtain information related to demand projections in [*allow for coordination with*] comprehensive land use plans early in the development of [*a*] **the plan.** [*and,*]**

(8) A[*a*]t least 30 days prior to submitting a draft plan to the Department, a **municipal water supplier shall make the draft plan available for review by each affected local government **along with a request for comments relating to consistency with the local government's comprehensive land use plan.****

(9) [(6)] Each municipal water supplier preparing a water management and conservation plan is encouraged to develop and implement a program to involve the supplier's customers in the preparation of the plan. Recommendations include making the plan available for public inspection and conducting public meetings to provide information and gather input on the plan.

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: WRD 11-1994, f & cert. ef. 9-21-94; WRD 10-2002, f & cert. ef. 11-1-02

690-086-0125

Municipal Water Supplier Plan Elements

A water management and conservation plan submitted by a municipal water supplier shall include:

- (1) A municipal water supplier description as described under OAR 690-086-0140;**
- (2) A municipal water conservation element as described under OAR 690-086-0150;**
- (3) A municipal water curtailment element as described under OAR 690-086-0160;**
- (4) A municipal water supply element as described under OAR 690-086-0170;**
- (5) A list of the affected local governments to whom the draft plan was made available pursuant to OAR 690-086-0120 (6) and a copy of any comments on the plan provided by the local governments;**
- (6) A proposed date for submittal of an updated plan within no more than 10 years based on the proposed schedule for implementation of conservation measures, any relevant schedules for other community planning activities, and the rate of growth or other changes expected by the water supplier; or an explanation of why submittal of an updated plan is unnecessary and should not be required by the Department; and**
- (7) If the municipal water supplier is requesting additional time to implement metering as required under OAR 690-086-0150 (4)(b) or a benchmark established in a previously approved plan, documentation showing additional time is necessary to avoid unreasonable and excessive costs.**

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: WRD 10-2002, f & cert. ef. 11-1-02

690-086-0130

Criteria for Approval of a Plan Submitted by a Municipal Water Supplier

In order to approve a plan by a municipal water supplier under OAR 690-086-0915, the Department must find that:

- (1) The plan includes each of the required elements under OAR 690-086-0125;**
- (2) The projections of future water need in the water management and conservation plan are reasonable and consistent with available land use plans and the municipal water supplier has demonstrated a need for the quantity of water to be diverted during the next 20 years under each permit held by the supplier;**
- (3) For each of the water conservation measures required under OAR 690-086-0150 (4) and, as applicable, OAR 690-086-0150 (5), the plan includes a reasonable and appropriate schedule with five year benchmarks for implementation of conservation activities;**
- (4) If applicable, for each of the water conservation measures required under OAR 690-086-0150 (6), the plan includes:**
 - (a) A reasonable and appropriate schedule with five year benchmarks for**

implementation of conservation activities; or

(b) Documentation to demonstrate that implementation of the measure is neither feasible nor appropriate to ensure efficient use of water and the prevention of waste and the supplier has used a suitable methodology in evaluating the measure;

(5) The identification of resource issues under OAR 690-086-0140 (5)(i) is accurate and complete;

(6) The water curtailment element required under OAR 690-086-0160 satisfactorily promotes water curtailment practices and the coordination of usage regulation, taking into account state water law and local conditions, or is substantially the same as a curtailment plan prepared pursuant to ORS 536.780 and OAR 690-019-0090 and approved by the Department within the previous five years;

(7) If during the next 20 years the maximum rate of water diverted under an extended permit will be greater than the maximum rate authorized for diversion under the extension or previously approved water management and conservation plan;

(a) The plan includes a schedule for development of any conservation measures that would provide water at a cost that is equal to or lower than the cost of other identified sources, unless the supplier has provided sufficient justification for the factors used in selecting other sources for development or the supplier serves a population of less than 1,000;

(b) Increased use from the source is the most feasible and appropriate water supply alternative available to the supplier; and

(c) If mitigation is legally required to address limitations or restrictions on the development of permits for which resource issues are identified under OAR 690-086-0140 (5)(i), the plan contains documentation that the supplier is complying with the mitigation requirements. The Department may consult with federal and state agencies in making this determination; and

(8) After January 1, 2042, for review of water management and conservation plans that propose to increase the maximum rate of water diverted under an extended permit that the additional diversion of water will not impair or be detrimental to the public interest.

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: WRD 10-2002, f & cert. ef. 11-1-02

690-086-0140

Municipal Water Supplier Description [*Plan Elements and Standards*]

[*A water management and conservation plan submitted by a municipal water supplier shall consist of the following elements:*

(1) *A description of the* **The** water [*system that includes*] **supplier description element shall include** at least the following information:

(1) [(a)] **A description of the supplier's source(s)** [*Source(s)*] of water[,]; [*water rights*] **including diversion**, storage and regulation facilities[,]; [*transfers and*] exchange agreements[,]; [*and*] intergovernmental cooperation agreements; **and water supply or delivery contracts;**

(2) A delineation of the current service areas and an estimate of the population served and a description of the methodology(ies) used to make the estimate;

(3) [(b) System capacity,]An assessment of the adequacy and reliability of the existing water supply considering potential limitations on continued or expanded use [and opportunities for expansion] under existing water rights resulting from existing and potential future restrictions on the community's water supply;

(4) [(c)]A quantification of the water delivered by the water supplier that identifies [C]current and available historic average annual water use, peak seasonal [demand] use, and average and peak day [demands,] use [and quantities of water used from each source];

(5) A tabular list of water rights held by the municipal water supplier that includes the following information:

(a) Application, permit, transfer, and certificate numbers (as applicable);

(b) Priority date(s);

(c) Source(s) of water;

(d) Type(s) of beneficial uses specified in the right;

(e) Maximum instantaneous and annual quantity of water allowed under each right;

(f) Maximum instantaneous and annual quantity of water diverted under each right to date;

(g) Average monthly and daily diversions under each right for the previous year, and if available for the previous five years;

(h) Currently authorized date for completion of development under each right; and

(i) Identification of any streamflow-dependent species listed by a state or federal agency as sensitive, threatened or endangered that are present in the source, any listing of the source as water quality limited and the water quality parameters for which the source was listed, and any designation of the source as being in a critical ground water area.

(6) [(d) Description] A description of customers served including other water suppliers and the estimated numbers; [and]general water use characteristics of residences, commercial and industrial facilities, and any other uses; and a comparison of the quantities of water used in each sector with the quantities reported in the water supplier's previously submitted water management and conservation plan and progress reports;

(7) [(e)]Identification and description of interconnections with other municipal supply systems; [and]

(8) [(f)]A schematic of the system [which] that shows the sources of water, storage facilities, treatment facilities, major transmission and distribution lines, pump stations, interconnections with other municipal supply systems, and the existing and planned future service area; and

(9) A quantification and description of system leakage that includes any available information regarding the locations of significant losses.

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: WRD 10-2002, f & cert. ef. 11-1-02

690-086-0150

Municipal Water Conservation Element

[(2) A]The water conservation element *[which]* **shall include** *[includes]* at least the following:

(1) [(a)] A progress report on the conservation measures scheduled for implementation in *[the]* a water management and conservation plan previously approved by the Department, if any;

(2) [(b)] A description of the water supplier's water use measurement and reporting program and a statement that the program complies with the measurement standards in OAR **Chapter 690, Division 85**, that a time extension or waiver has been granted, or that the standards are not applicable;

(3) [(c)] A description of other conservation measures, if any, currently implemented by the water supplier, **including any measures required under water supply contracts;**

(4) A description of the specific activities, along with a schedule that establishes five-year benchmarks, for implementation of each of the following conservation measures that are required of all municipal water suppliers:

(a) An annual water audit that includes a systematic and documented methodology for estimating any un-metered authorized and unauthorized uses;

(b) If the system is not fully metered, a program to install meters on all un-metered water service connections. The program shall start immediately after the plan is approved and shall identify the number of meters to be installed each year with full metering completed within five years of approval of the water management and conservation plan;

(c) A meter testing and maintenance program;

(d) A rate structure under which customers' bills are based, at least in part, on the quantity of water metered at the service connections;

(e) If the annual water audit indicates that system leakage exceeds 10 percent, a regularly scheduled and systematic program to detect leaks in the transmission and distribution system using methods and technology appropriate to the size and capabilities of the municipal water supplier; and

(f) A public education program to encourage efficient water use and the use of low water use landscaping that includes regular communication of the supplier's water conservation activities and schedule to customers;

(5) If the municipal water supplier proposes to expand or initiate diversion of water under an extended permit for which resource issues have been identified under OAR 690-086-0140(5)(i), a description of the specific activities, along with a schedule that establishes five-year benchmarks, for implementation of a system-wide leak repair or line replacement program to reduce system leakage to no more than 15 percent or sufficient information to demonstrate that system leakage currently is no more than 15 percent.

(6) [(d)] If the municipal water supplier serves a population greater than 1,000 and proposes to expand or initiate diversion of water under an extended permit for which resource issues have been identified under OAR 690-086-0140(5)(i), or if the municipal water supplier serves a population greater than 7,500, a description of the specific activities, along with a schedule that establishes five-year benchmarks, for implementation of each of the following measures; or documentation showing that *[For each of the following conservation measures not currently being implemented, an evaluation of whether]*