

**Water Resources Commission Meeting  
Salem, Oregon  
March 15, 2018**

WRC Present

Meg Reeves  
Joe Moll  
Bob Baumgartner  
Mike Faught  
Bruce Corn  
Eric Quaempts  
Kathy Kihara

WRD Staff Present

Tom Byler  
Racquel Rancier  
Cindy Smith  
Justin Iverson  
Lisa Snyder  
Kim Ogren  
Ivan Gall  
Kyle Gorman  
Doug Woodcock  
Steve Parrett  
Jason Spriet  
Mike Ladd  
Ken Stahr  
Harmony Burrigton  
Keith Mills  
Mike McCord

Others

Kimberley Priestley  
Lori Grant  
Mark Landauer  
Mary Anne Cooper  
John Warinner  
April Snell  
Tracy Rutten  
Sara Petrocini  
Samantha Bayer  
Ron Nelson  
Kathie Dello  
Mike Britton  
Dennis Scott  
Doug Riggs  
Scott Oviatt  
Audy Bryant

Written material submitted at this meeting is part of the official record and on file at the Oregon Water Resources Department, 725 Summer St. NE, Salem, Oregon 97301-1271. Audiotapes of the meeting are on file at the same address. Staff reports and PowerPoint presentations are available on the Department's website.

Chair Reeves called the meeting to order, and asked Commissioners and the audience to introduce themselves.

**A. Review of Conditions in Critical Groundwater Areas**

Justin Iverson, Groundwater Manager updated the Commission on the critical groundwater areas in Oregon, and responded to Commissioner comments and questions.

**B. Improving Water Use Measurement and Reporting**

Ivan Gall, Field Services Administrator, and Ken Stahr, Surface Water Hydrology Manager briefed the Commission on the challenges and opportunities for improving water use measurement and reporting in Oregon.

Commissioner Corn remarked about the importance of maintaining and calibrating these devices, and the time and resources required to retrieve accurate data.

Chair Reeves suggested rerunning the presentation from a year or two ago that showed how different measuring devices work, for the new commissioners.

Commissioner Moll asked what additional resources would be necessary to get to be able to collect and interpret enough accurate data to make basin-wide analyses. Gall said that 20-22 new assistant watermasters would be ideal, but he would be thrilled with three. He also noted a need for more staffing in the Information Services Section to provide the technical expertise, and staff for outreach and education.

Chair Reeves asked about the ability to ask for authority to require reporting. Director Byler said that there had been discussion of legislation to add that requirement.

April Snell, Oregon Water Resources Congress, stated that she anticipates Representative Helm will take up some of the issues regarding water use measurement and reporting, and also groundwater in the next legislative session. She encouraged the Department and the Commission to pursue the ability to require reporting.

### **C. Dam Safety Program Overview**

Keith Mills, State Engineer, and Racquel Rancier, Senior Policy Coordinator, briefed the Commission on the Dam Safety Program, discussed recommendations in the 2017 Integrated Water Resources Strategy, and responded to Commissioner comments and questions.

Commissioner Kihara was surprised that the Department does not already have authority in emergency situations, and thought the Department should be pursuing that authority. She asked about coordination between the Department, Army Corps of Engineers, and Bureau of Reclamation to provide training to dam owners and operators. Mills answered that most of the training the Department provides is to Engineers, but agreed that the dam owner community needs more education.

### **D. Authorization for Expending Remaining Place-Based Planning Funds**

Harmony Burrig, and Steve Parrett, Planning Coordinators, briefed the Commission and requested approval on the proposed expenditure of the remaining place-based planning funds, and responded to Commissioner comments and questions.

Commissioner Quaempts noted that in his experience with municipal plans, two-to-three years is not very long to develop and implement plans such as these.

Commissioner Moll agreed with Commissioner Quaempts and encouraged the Department to have examples to share that show plans that have been implemented, as well as accomplishments.

Commissioner Faught made the motion to authorize the Department to spend the remaining \$56,000 of place-based planning funds for the purposes identified in Section IV of the staff report. Seconded by Commissioner Corn. Voting in favor: Commissioners Corn, Baumgartner, Kihara, Reeves, Quaempts, Faught and Moll. Voting against: none.

### **E. Legislative and Budget Update**

Racquel Rancier, Senior Policy Coordinator, and Lisa Snyder, Administrative Services Division Administrator, provided an overview of the 2018 Legislative Session and discussed proposals for the 2019 Legislative Session.

Commissioner Quaempts was concerned about the impacts of not hiring staff.

Chair Reeves asked if it would be simpler for the Department to develop a legislative concept for requiring water measurement, instead of a broader package. Rancier responded that other items rose to a higher priority for the Department sponsored concepts. Director Byler also commented that some concepts move forward better when they are not sponsored by the Department.

Commissioner Faught asked what feedback the Department has received on the proposed concepts. Rancier reported that there is a lot of support to see the place-based planning pilot areas to completion, and support for evaluation of place-based planning; however, there is some concern about expansion of the program. Stakeholders have had a lot of comments on the clarity and underlying thinking on the transfers of storage concept. Stakeholders had suggestions to improve the dam safety concept, and asked a lot of questions about the proposal.

Commissioner Moll suggested that from a public trust perspective, the Department may be most vulnerable and have the most potential to serve the public in the areas of data collection and dam safety. He would also like the Department to rank budget concepts in the order of importance.

Chair Reeves would put the groundwater studies at the top of the priority list, with dam safety, place-based planning, and water use measurement and reporting next on the list. Reducing litigation costs would be great also.

Commissioner Baumgartner thought it was very valuable to see the big list. He would like to see continuity in products and messages, and see projects through to completion.

#### **F. Overview of Central Oregon Irrigation District**

Craig Horrell, Central Oregon Irrigation District Manager; Leslie Clark, Central Oregon Irrigation District Water Right Manager; and Ron Nelson, Consultant on Strategic Water Issues, briefed the Commission on the past, present, and future of the Central Oregon Irrigation District, and responded to Commissioner questions and comments.

Doug Riggs, Central Oregon Cities Organization, described the mitigation program the municipalities use, the role of the spotted frog, and the need to update and modify the program. He asked the Department to sponsor a workgroup to help Central Oregon move into a new phase of mitigation.

Dennis Scott, Mayor, City of LaPine, shared how the City of LaPine is growing, the lack of water, and that he would like to see water fairly distributed.

#### **G. Water Supply and Weather Conditions for Oregon**

H. Scott Oviatt, National Resources Conservation Service (NRCS); Andy Bryant, National Weather Service; Ken Stahr, Surface Water and Hydrology Manager; and Kathie Dello, Oregon Climate Change Research Institute, briefed the Commission on the current snowpack and weather conditions statewide.

Commissioner Moll asked about maps not being available in the future. Oviatt responded that due to technology changes, the NRCS is concerned that those products will not be supported in the future. He hopes that NRCS can find replacement products providing the same data.

Director Byler said that the Department is very supportive of the continuation of the work, and has voiced its concerns to Western States Water Council.

Commissioner Faught commented how critical that data was for him in his capacity at City of Ashland. Commissioner Corn reported that most of the farmers in his area access those maps on a daily basis.

Commissioners were in agreement that a letter should be sent showing the support of the WRC for the continuation of the SNOTEL Maps. Director Byler will provide feedback to Chair Reeves on the approach after WSWC meets.

Chair Reeves commented that the climate change debate should be less about how is it happening, but more about what to do about the declining snow pack.

Commissioner Quaempts reported that in the Umatilla Basin, they are tracking the changing trends. He also commented that consumptive uses need to be tracked.

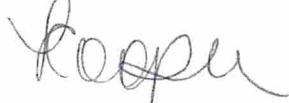
Commissioner Corn thought that studying the potential of aquifer storage could be a benefit.

Commissioner Kihara remarked that looking at how water is stored is critical for the future.

Commissioner Corn asked if high reservoir storage levels would preclude a drought declaration even if an area is in a drought. Stahr answered that we cannot make the assumption that everyone living in an area with a reservoir has access to the reservoir, and that there are many factors to consider.

There being no further business, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lorri Cooper".

Lorri Cooper  
Executive Administrative Support to the Director's Office

**Water Resources Commission Meeting  
Salem, Oregon  
March 16, 2018**

WRC Present

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Kathy Kihara

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Chair Reeves called the meeting to order.

**H. Approval of Minutes**

The approval of the December 7 and 8, 2017, Commission meeting minutes was deferred to the next meeting.

**I. Commission Comments.**

Bob Baumgartner reported that Water Week is coming up and that it will address issues related to water and infrastructure on a national perspective. In light of the conversation on climate change, Baumgartner sees the importance of investing in water infrastructure.

Eric Quaempts recently attended a Community Workshop in Milton-Freewater that addressed aquifer storage and recovery. Quaempts is happy with the appointment of the Commission Chair and the new appointees to the commission. He also likes the IWRS and challenged the Department to include more pictures of people in the future.

Mike Faught complimented the previous commission on adopting the IWRS. He also enjoyed the building tour and meeting staff. He is proud to be a part of the Commission.

Joe Moll echoed Commissioner Faught's comments and is honored to be a part of the Commission. Bruce Corn welcomed the new Commissioners and likes the different perspectives at the table. He was struck by the thought that there is as much water as there has ever been, but what matters is how it is distributed, where it is distributed, and in what form it is in. He talked about the improvements people in his area are investing in, and how expensive infrastructure is.

Kathy Kihara thanked the Department for allowing her to be a part of the Commission. She suggested looking further out in the budget-cycle, and to start planning for it now.

Meg Reeves attended her first OWEB meeting and commented on the learning curve. She thanked the staff who presented on Thursday, and was impressed with the quality of the work. She thanked the Region Managers for joining the Commission and welcomed the new Commissioners.

#### **J. Director's Report**

Director Byler thanked and welcomed the new Commissioners. He was glad for the opportunity for them to tour the building and meet staff.

Commissioner Quaempts thanked staff for calling out the Integrated Water Resources Strategy in Budget and Legislative issues, and other issues that were reported on. Director Byler said that the placemat may be included in the future for an at-a-glance reference.

Commissioner Corn asked where the Department is on the stock water preference, and should they expect an emergency request. Byler reported that the Department is continuing to work with affected water users to seek alternatives in a time of drought. The stock water preference would require Commission action, while the other options are administrative.

Commissioner Corn asked what role the Department has in potential litigation involving reservoirs to protect species. Byler responded that while the State has an interest in those issues, the Federal Government and the Army Corps of Engineers are the decision makers.

Chair Reeves asked what portion of the Department's litigation expenses were due to water users filing suit to avoid being regulated. Byler said that the Klamath Basin is significant: the community is still adjusting to regulation, and questioning the basis for regulation. Reeves suggested a change in the law that allows an appeal to Circuit Court to stay the enforcement.

#### **K. Strategic Planning**

Tom Byler, Director, and Kim Ogren, Water Resources Development Program Manager, updated the Commission on the Department's ongoing strategic planning efforts.

Commissioner Faught asked if there was any kind of list describing fundamental duties right now. He observed that staff are very busy already, and asked with the current framework how it would be possible to have different capacity without any additional resources. Director Byler hopes that the Work Prioritization and Employee Initiatives will help to define some of those issues.

Commissioner Quaempts thought the audit was well done and asked what the requirements are for demonstrating responsiveness. Byler answered that the agency was required to report a year after the audit. WRD submitted a report in December outlining progress, and will share it next meeting. Quaempts asked it be provided in advance for Commissioners to review.

Commissioner Moll applauded the effort to undertake strategic planning. He hopes the staff have the confidence that "no, we can't do that" is sometimes the right answer. He also hopes that the Department will not limit itself to no new resources, but to have ideas ready to implement should new resources become available.

Commissioner Quaempts sees this as an opportunity to develop some future budget proposals based on what is identified as priorities.

Commissioner Baumgartner would like to hear from staff who have been involved in the strategic planning process. He really likes identifying the foundational things that the Department needs to be doing, while at the same time not losing focus on the aspirational things.

Director Byler does not want the Strategic Plan to be a limiting factor, but an avenue for the Department to achieve.

Chair Reeves likes the part of the plan that would say something about where we might want to go if there were more resources; but would be sorry to lose the aspect of the plan that deals with the current resources. She also encouraged the Department to make the feedback to staff a priority.

Commissioner Faught asked how the Strategic Plan will align with the budget cycle. Director Byler said that it does not align, but some of the future budget asks will be a result of things identified in the Strategic Plan.

#### **L. Water Projects Grants and Loans Biennial Review**

Kim Ogren, Water Resources Development Program Manager, provided the Commission with a biennial review of the 2015-17 Water Project Grants and Loans funding opportunity.

Commissioner Corn asked about receiving progress reports on funded projects, including on successes and failures. Ogren confirmed that semi-annual progress reports are required from the grantees, as well as completion reports, and asked if the Commission would like a report by the Department and grantees.

Commissioner Moll sees a lot of value in grantees coming to Commission meetings and reporting out lessons learned, as well as successes. He asked if the Department receives public comments on projects. Ogren reported that stakeholders comment on issues of their concern, and many projects get letters of support.

Commissioner Baumgartner asked for clarification of the scoring and ranking system, including the feedback loop.

Commissioners encouraged having grantees engage with the Commission to hear about their projects.

Commissioner Baumgartner was concerned with large projects' economies of scale making it hard for small projects to compete, and some thought needs to be given to ranking and scoring of small projects for their success. Commissioners and staff then discussed options and issues related to funding for small projects.

Commissioner Baumgartner noted that it is important to help counties and areas not applying for grants and loans to understand how to create a competitive project.

Chair Reeves noted that the process is designed with criteria that achieve the funding of projects of diverse sizes, types and geographic locations. She thinks geographic location is subject to interpretation, and is not inclined to put as much focus on that piece. Chair Reeves asked for a separate pool for smaller projects to be folded into conversations with stakeholders.

Commissioner Faught asked about the interest rate and length of the loans. Ogren responded that interest rates will be based on the 20-year bond buyers index, with a discount offered based on credit worthiness of the applicant. The length of the loan would be based on the life of the project, which also has an impact on the interest rate.

**M. Overview of the Draft Certificate for Permit 51439: Phase II of the Umatilla River Exchange**

Dwight French, Water Right Services Administrator; Gerry Clark, Program Analyst; and Mike Ladd, Region Manager, provided the Commission with an overview of the permit, the reasons the permit is before the Commission, the exchange process, next steps, and responded to Commissioner comments and questions.


**N. Public Comment**

There were no comments.

**O. Other Issues**

There being no further business, the meeting was adjourned.

Respectfully submitted,



Lorri Cooper  
Executive Administrative Support to the Director's Office