

WATER RESOURCES COMMISSION

WORK SESSION

KLAMATH FALLS

JUNE 21, 1990

MINUTES

Commission members present:

Bill Blosser, Chair  
Lorna Stickel, Vice-Chair  
Cliff Bentz  
Jim Howland  
Hadley Akins  
Mike Jewett  
Commissioner-elect Roger Bachman

Commission members absent:

Dierdre Malarkey

Water Resources Staff

Bill Young  
Jan Shaw  
Bev Hayes  
Becky Kreag  
Rick Bastasch  
Roberta Jortner  
Steve Applegate  
John Borden  
Mike Mattick  
Bob Main  
Tom Kline  
Del Sparks  
Steve Sanders

Others

Jan Boettcher  
Audrey Simmons  
Charles Dehlinger  
Wm. L. Wales  
Roger Nicholson  
Ambrose McAuliffe  
Larry Trosi

The staff reports presented at this meeting, which contain the Director's recommendations mentioned in these minutes, are on file in the Office of the Director of the Water Resources Department, 3850 Portland Road, NE, Salem, Oregon. Written information submitted at this meeting is hereby made a part of this record and is on file at the above address. Audiocassette recording tapes of the meeting are also on file in the Water Resources Department office.

Vice-chair Lorna Stickel asked the Department staff to pass on the Commission's appreciation to their hosts for that morning's tour of the Klamath project and other water use activities in the area and barbecue lunch.

## 1. 1991-93 AGENCY BUDGET

In May, the Commission reviewed nine decision packages as a first estimate of costs associated with new programs or enhancements to existing programs to accomplish the Department's priority goals. Each Commissioner ranked the six decision packages that had funding from general funds. The three decision packages that request other fund spending limitations were not ranked. Each Commissioner also allocated positions among the nine decision packages, assuming only 20 new full-time equivalent (FTE) positions would be included.

The decision packages presented to the Commission provide funding for personal services, supplies, and equipment needed to accomplish the work outlined in the narratives. A combination of general funds and other funds would be the source of funding. Revenue generated from Department fees and from contract services with federal, state, and local governments would be used to fund some of the activities.

### Director's Recommendation

This was an informational report and no action was required. However, the Department invited Commission discussion and direction.

The Commission spent some time in active and detailed discussion. They asked the staff to bring back the budget in a more final form for their consideration at their August 3 meeting.

## 2. 1991-1993 BIENNIAL WATER PROGRAM DRAFT EXECUTIVE SUMMARY

At the May 18, 1990, Commission work session on the proposed biennial water program, the Commission emphasized the need for a brief summary document. The Commission recommended that it not be longer than four pages, that it include a goal or "mission" for the biennium, and that it focus on a few of the highest priority actions of the 12 natural resource agencies important for legislative understanding. The Department drafted a summary as an example to get Commission response and input on its content. A similar water program summary from Minnesota was provided as an example.

### Director's Recommendation

The staff recommended that the Commission review the highlighted activities in the draft summary and determine whether any in its purview should be added or deleted. The Commission should also discuss and approve the general content of a goal statement and provide any other observations.

Commissioner's Roger Bachman and Jim Howland volunteered to work as a subcommittee on the biennial water program draft executive summary.

## 3. REQUEST FOR ADOPTION OF STATE AGENCY COORDINATION PROGRAM

On March 29, 1990, the Commission held a work session to discuss the Water Resources Department's draft State Agency Coordination (SAC) Program. At the conclusion of this session, the Commission authorized staff to schedule a public hearing to obtain comments on draft SAC rules and procedures.

The hearing was held on May 2, 1990, in Salem. Commissioner Stickel presided as hearings officer. Representatives from Morrow County and the Oregon Department of Fish and Wildlife (ODFW) attended the hearing and provided oral and written testimony for the Commission's consideration. The Department also received written comments on the draft program from several additional parties, and one comment by telephone.

Morrow County representatives were concerned about potential administrative costs and burdens the SAC Program might cause. They requested that a staff member meet with local agency and elected officials prior to adoption of the program. In a letter dated May 18, 1990, the County requested the Commission to delay its actions relating to general policies and procedures. No specific reference was made to the SAC Program. To date, the Department had not received further comments on the draft program from Morrow County. On June 4 the County requested staff to give a presentation and meet with its recently created local water advisory group. Staff will keep working with the County to resolve any questions or problems in conjunction with program implementation. Staff did not recommend that the Commission delay adoption of the SAC Program.

Staff reviewed additional comments and revised the draft rules and procedures. The revisions addressed a number of the concerns raised.

Director's Recommendation

1. Adopt the proposed SAC Program rules and rule amendments as revised.
2. Approve the Land Use Planning Procedures Guide with revisions provided with this report. Authorize staff to merge Current, and Proposed Coordination Strategies prior to submittal to LCDC.
3. Authorize staff to submit the revised SAC Program in its entirety to LCDC for certification.
4. Direct staff to file adopted rules with the Secretary of State immediately, OR wait to file until final certification by LCDC.

It was MOVED by Jim Howland and seconded by Lorna Stickel to accept the staff's recommendation on how the Department handles instream and out-of-stream water rights. Commissioners Akins, Howland, Bentz and Jewett voted no. The motion failed.

It was MOVED by Jim Howland and seconded by Mike Jewett to make the following changes:

Page G-15:

- J. "...and copies of letters sent to each affected county and city, notifying them of the intent to file the instream water right application."

Page G-3:

Move OAR 690-11-020(6) to 690-11-030 and -040, which then allows applicants for instream water rights to supply land-use compatibility information subsequent to the filing of the application.

Assign a time limit of 60 days for the applicant to provide the land-use information.

It was MOVED by Cliff Bentz and seconded by Lorna Stickel to determine that those transfers which only involve a change in place of use within exclusive farm use zones or irrigation districts and which are non-structural and are for irrigation uses only do not significantly affect land use and are not land use program activities. The motion passed unanimously.

It was MOVED by Jim Howland and seconded by Mike Jewett to replace throughout the proposed rules the use of affected "cities and counties" with affected "local governments" and to define local governments to include Metro and associations of local governments with comprehensive planning authority. In addition, the rules were changed to clarify that in water use approvals, after determining land use compatibility, the Commission would look specifically to its own statutes, not all statutes, in deciding whether to approve the request. The motion passed unanimously.

Commissioner Bentz suggested generalizing some of the submission requirements for reservations of water for future economic development to allow applicants to indicate "approximate" locations and seasons of use, the general "type of" users, and the "expected" duration of the reservation. In addition, Commissioner Bentz suggested deleting the requirement to address a schedule of development.

It was MOVED by Mike Jewett, seconded by Cliff Bentz, and passed unanimously to approve Bentz's recommendations.

It was MOVED by Mike Jewett, seconded by Lorna Stickel, and passed unanimously to approve the amended land-use coordination program.

It was MOVED by Jim Howland and seconded by Hadley Akins to accept the remainder of the Director's recommendation and direct the Department to file the rule with the Secretary of State. The motion passed unanimously.

There being no further business, the Commission adjourned this portion of the meeting, to be reconvened the next day.

Respectfully submitted,



JAN SHAW  
Commission Assistant

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