



MEMORANDUM

TO: Water Resources Commission

FROM: Doug Woodcock, Deputy Director of Water Management
Justin Iverson, Groundwater Section Manager

SUBJECT: Agenda Item G, December 3, 2021
Water Resources Commission Meeting

Discussion on Groundwater Allocation

I. Introduction

This is an informational agenda item to review the Water Resources Department's approach to groundwater allocation as a follow up to Water Resources Commission discussions regarding groundwater at its June and August 2021 meetings.

II. Background

The Integrated Water Resources Strategy (IWRS) and the Department's Strategic Plan both recognize improvements to groundwater management are needed. In October 2016, Department staff began a discussion with the Commission regarding groundwater management, reviewing the policy and legal framework for groundwater management, the importance of data to inform decision-making, the current status of the resource, and existing groundwater management tools.

Since that time, the Commission and Department staff have had many discussions, and the Department has acted on numerous groundwater related issues recommended by the IWRS and prioritized under the Strategic Plan. Relevant IWRS recommended actions include:

- 1.A Conduct additional groundwater investigations
The Department received funding from the Oregon Legislature to expand its capacity to conduct groundwater investigations in 2016, 2019 and 2021.
- 1.B Improve water resource data collection and monitoring
The Department received funding from the Oregon Legislature in 2019 and 2021 to advance groundwater data collection and assessment capabilities.
- 8.D Identify ongoing water-related research needs
The Department received funding from the Oregon Legislature in 2021 for a statewide evapotranspiration study and to quantify groundwater recharge in basins across the state.

- 10.G Strengthen water quantity permitting programs
To be discussed at this meeting
- 11.E Develop additional groundwater protection
To be discussed at this meeting

The Department's Strategic Plan prioritizes modernization of groundwater management through the evaluation of groundwater management areas (reviewed with the Commission at the August 2021 meeting) and the review of policies associated with groundwater availability and allocation, which was discussed at the June 2021 meeting, and will be discussed further at this meeting.

Groundwater management is an area of significant activity for the Department. In addition to actions listed above, within the past five years, the Department stopped issuing groundwater permits due to concerns over groundwater declines in the Harney Basin area as well as in the Walla Walla Basin, and worked with the Commission to update the basin program rules for these areas. A basin groundwater study is nearly completed in the Harney Basin and another is underway in the Walla Walla Basin.

In addition, the Department established the first Serious Water Management Problem Area in the Walla Walla Basin to require measurement and reporting of groundwater uses and implemented rules in the Klamath Basin to regulate groundwater users in favor of hydraulically connected senior surface water users as per our commitments in the Upper Klamath Basin Comprehensive Agreement. The Agreement has since been terminated and the courts have pointed the Department toward a Critical Groundwater Area designation for any future regulation of groundwater in favor of surface water. These were all important actions, but are very labor-intensive, so the Department has had to prioritize where it focuses its capacity.

III. Groundwater Allocation

For many years, surface water has been fully appropriated in most parts of Oregon during the traditional irrigation period from spring to fall. As a result, those interested in new uses of water turned to groundwater as their potential source for new water right permits. In recent years, however, there has been increasing concern that some areas cannot sustain additional allocations of groundwater for new permits without impacting existing groundwater users and hydraulically connected senior surface water rights.

An August 2017 staff report to the Commission provided detail on the groundwater review process. This report concluded that additional discussion was needed regarding groundwater appropriation. Since that time, the Department has primarily focused its attention on obtaining additional capacity for groundwater studies, data collection, and improvements to the Department's groundwater data management system.

In June 2021, the Department presented to the Commission its 2021 Oregon Groundwater Resource Concerns Assessment, a statewide, data-driven analysis of groundwater resource concerns. The resulting map and report showed that there are areas of groundwater concern outside of and in addition to currently designated groundwater management areas. The report stimulated questions and concerns from the Commission about the frequency of groundwater permits issued within resource concern areas.

At the December meeting, staff will revisit the Department's authority and practices for its groundwater review process for water right permit applications and discuss ideas on approaches for better groundwater allocation and management.

IV. Conclusion

This report is for informational purposes.

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