

**WATER RESOURCES COMMISSION MEETING
SALEM - VIDEOCONFERENCE
August 25, 2021
Meeting Minutes
REVISED - #1**

<u>WRC</u>	<u>WRD STAFF</u>	<u>OTHERS</u>	
Meg Reeves, Chair	Tom Byler	Ken Yates	Donna Beverage
Bruce Corn, Vice Chair	Nirvana Cook	Peggy Lynch	Adam Denlinger
Bob Baumgartner	Doug Woodcock	Stacy Cayce	Lynny Brown
Kathy Kihara	Lisa Snyder	Holly Mondo	Alexandria Scott
Joe Moll	Bryn Hudson	Taren Evans	Larry O’Neill
Eric Quaempts	Racquel Rancier	Miles Pengilly	Caylin Barter
Julie Smitherman	Breeze Potter	Gene Souza	Leslie Clark
	Ryan Andrews	Debra Bunch	Rep. Mark Owens
	Rachel LovellFord	April Snell	Stacey Dalgaard
	Steve Parrett	Jeff Stone	Page Haxton-Evans
	Dwight French	Roxann Nayar	Cheyenne Holliday
	Kim Fritz-Ogren	Courtney Neron	Randy Williams
	Justin Iverson	Maurizio Valerio	Genevieve Hubert
	Lisa Jaramillo	Sue Baumgartner	

Written material submitted at this meeting is part of the official record and is on file at the Oregon Water Resources Department, 725 Summer St. NE, Salem, Oregon 97301-1271. Agendas, minutes, PowerPoint presentations, staff reports, and audio/video files are available on the Department’s [website](#).

Chair Reeves called the meeting to order and explained the process and purpose of the meeting. Chair Reeves noted this would be the last meeting with Commissioner Baumgartner and Vice Chair Corn, and invited attendees to say farewell after the meeting adjourns.

https://youtu.be/dfK6Ylb-u_4?t=11

A. Commissioner Comments

https://youtu.be/dfK6Ylb-u_4?t=73

Commissioners reported on their recent activities, shared information, and commented on a variety of water resource topics. Commissioner Moll commented on the extraordinary water year. Commissioner Quaempts commented on the need to measure and report variability when managing water. Commissioner Kihara talked about the depth and extent of the drought. Commissioner Smitherman noted the public is becoming more interested in water and the challenge that presents in terms of addressing concerns.

Commissioner Baumgartner noted the severity of drought conditions, and Vice Chair Corn noted seeing the benefits of past efforts to manage and conserve water. Chair Reeves pointed out the importance of working with the community on water challenges and gave an update on OWEB activities.

B. Approval of Minutes

https://youtu.be/dfK6Ylb-u_4?t=1604

The minutes of the June 3, 2021 meeting were presented for Commission approval. Vice Chair Corn moved to approve the minutes, seconded by Commissioner Kihara. Voting in favor of the motion: Baumgartner, Quaempts, Corn, Moll, Reeves, Smitherman, and Kihara. Motion passed.

C. Director's Report

https://youtu.be/dfK6Ylb-u_4?t=1665

Tom Byler, Director, provided an update on Department business and late-breaking issues. Director Byler noted the need to be mindful in terms of the Legislature's investment in water and thoughtful about building a foundation moving forward. Kudos to WRD staff for dealing with drought issues, especially in the Klamath Basin.

D. Critical Groundwater Area Three Year Review

https://youtu.be/dfK6Ylb-u_4?t=2924

Justin Iverson, Groundwater Section Manager, reviewed conditions in the Butter Creek and Stage Gulch Critical Groundwater Areas and the associated basin program rules in OAR 690-507-610 through 840, as per the review requirements of ORS 537.780(3). Vice Chair Corn asked about Butter Creek in terms of impacts to groundwater recharge rates and surface flow variability. Commissioner Quaempts stressed the need to better measure, monitor, and report the effects of water year variability and to develop effective and timely adaptive management responses to address those impacts on groundwater supplies. Commissioner Baumgartner discussed adaptive management and asked whether there are sufficient triggers in critical groundwater areas to determine if rules should be modified. Commissioner Moll inquired about the value of junior water rights in critical areas and the feasibility of using public funds to purchase rights from willing sellers, and Chair Reeves mentioned an interest in more information on surface water and groundwater interactions, and the value of junior water rights in critical areas.

E. Oregon Water Futures Project

https://youtu.be/dfK6Ylb-u_4?t=6427

Stacey Dalgaard, Oregon Environmental Council; Cheyenne Holliday, Verde NW; Lynny Brown, Willamette Partnership; and Taren Evans, Coalition of Communities of Color, discussed the work of the Oregon Water Futures Project, which was formed to elevate water priorities from Oregon Communities. Commissioner Smitherman noted the complexities of water priorities and Commissioner Moll commented on the need to reach out more broadly to communities around the state. Commissioner Quaempts commented on the need to provide positive examples of productive engagement, noting the Department's work with the CTUIR, and pointed out today's report was very different from OBC's report, but can still complement each other. Commissioner Baumgartner inquired about ways to overcome the distrust of the community. Director Byler thanked the panel for their presentation and noted the Department looks forward to working with them in the future.

F. Drought Update

https://youtu.be/dfK6Ylb-u_4?t=9437

Larry O'Neill, State Climatologist at Oregon State University; Racquel Rancier, Policy Manager; Rachel LovellFord, Surface Water Hydrology Program Manager; Ryan Andrews, Hydrologist; and Bryn Hudson, Water Policy Analyst, provided an update on current drought conditions, coordination and communication efforts, and support available for water users. Vice Chair Corn noted his appreciation of the monthly drought reports. Commissioner Moll mentioned the need to look at storage as a way to adapt to the changing climate. Commissioner Baumgartner noted the historical record may not be the best approach in terms of planning for the future. Commissioner Quaempts suggested climate change is transitioning rather than existing as the new normal, and variability is an important factor in planning.

Public Comment:

April Snell, Executive Director, Oregon Water Resources Congress

https://youtu.be/dfK6Ylb-u_4?t=12002

G. Legislative Session and Budget Update

https://youtu.be/dfK6Ylb-u_4?t=14559

Racquel Rancier, Policy Manager; Lisa Snyder, Administrative Services Division Administrator; and Bryn Hudson, Water Policy Analyst, provided an update on the 2021 Legislative Session and the 2021-2023 budget. Commissioner Quaempts commented on the increased budget in terms of the challenge to hire staff to implement the work that needs to be done. Vice Chair Corn commented on the need to hire qualified staff, and Commissioner Moll noted the need for the Department to track projects for the purpose of keeping the Commission informed of progress.

Public Comment:

Caylin Barter, Water Policy Program Manager, Wild Salmon Center

https://youtu.be/dfK6Ylb-u_4?t=17286

H. Division 77 Rulemaking Timeline

https://youtu.be/dfK6Ylb-u_4?t=17766

Dwight French, Water Right Services Division Administrator, and Breeze Potter, Water Policy Analyst and Rules Coordinator, presented on the status of Division 77 rulemaking. The Commission was asked to consider the options outlined in the staff report and determine the appropriate timeline for this rulemaking effort. Commissioner Moll questioned if public value would be served if the Department started over.

Public Comment:

Gene Souza, Executive Director, Klamath Irrigation District

https://youtu.be/dfK6Ylb-u_4?t=20446

April Snell, Executive Director, Oregon Water Resources Congress

https://youtu.be/dfK6Ylb-u_4?t=21191

Chair Reeves moved to ask the Department to reconvene the RAC for further consideration of issues within the current scope of the Division 77 rulemaking, including issues related to leases and transfers of storage rights, seconded by Vice Chair Corn. Voting in favor of the motion: Baumgartner, Quaempts, Corn, Reeves, Smitherman, and Kihara. Voting against the motion: Moll. Motion passed.

I. State Recognition of Place-Based Integrated Water Resources Plans

https://youtu.be/dfK6Ylb-u_4?t=25303

Steve Parrett and Harmony Burright, Planning Coordinators, and Kim Fritz-Ogren, Water Resources Development Program Manager, provided information on state recognition of place-based integrated water resources plans.

Public Comment:

Holly Mondo, Harney County Community-Based Water Planning Cooperative (public comment submitted in writing, as read by Nirvana Cook, Commission Assistant)

https://youtu.be/dfK6Ylb-u_4?t=28344

J. Public Comment/Other Issues

Peggy Lynch, Oregon League of Women Voters

https://youtu.be/dfK6Ylb-u_4?t=28705

There being no further business, the meeting was adjourned.

Respectfully submitted,

Nirvana Cook
Commission Assistant