



Regional Water Planning and Implementation in Oregon: The Current System

Oregon Water Resources Department
Oregon Department of Environmental Quality
Oregon Health Authority
Oregon Department of Fish and Wildlife
Oregon Watershed Enhancement Board

March 8, 2022

A scenic landscape featuring a river in the foreground, a grassy field, and mountains in the background under a blue sky with scattered clouds. A wooden fence is visible on the left side of the image.

Why are we talking about the current system of regional planning and implementation?

Building on past efforts

Integrated Water Resources Strategy

Four Objectives:

- Understand water resources today
- Understand instream and out-of-stream needs
- Understand the coming pressures that affect our needs and supplies
- Meet Oregon's instream and out-of-stream needs

17 Critical Issues, including:

- Pressures, needs, and data that varies over the Oregon landscape
- Place-based efforts

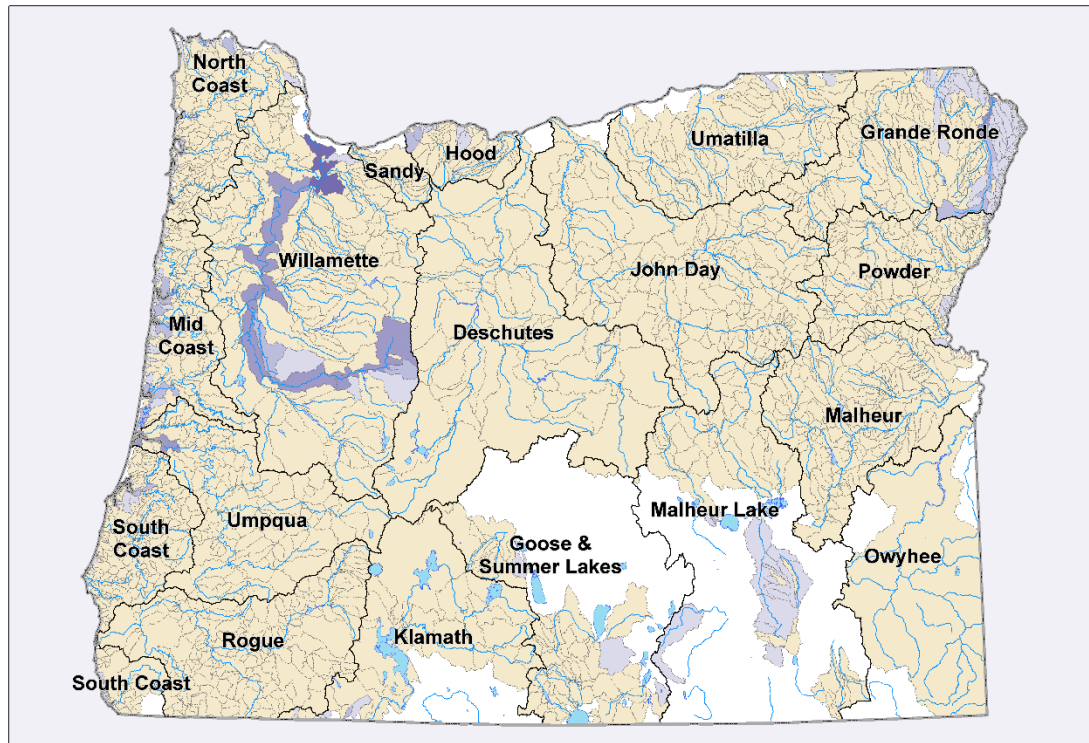
[Learn more](#)

Oregon's **2017**
Integrated Water Resources Strategy



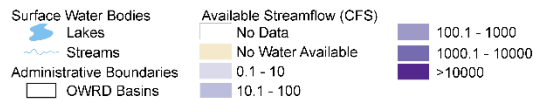
Surface and Groundwater Availability

Surface water availability for allocation in August

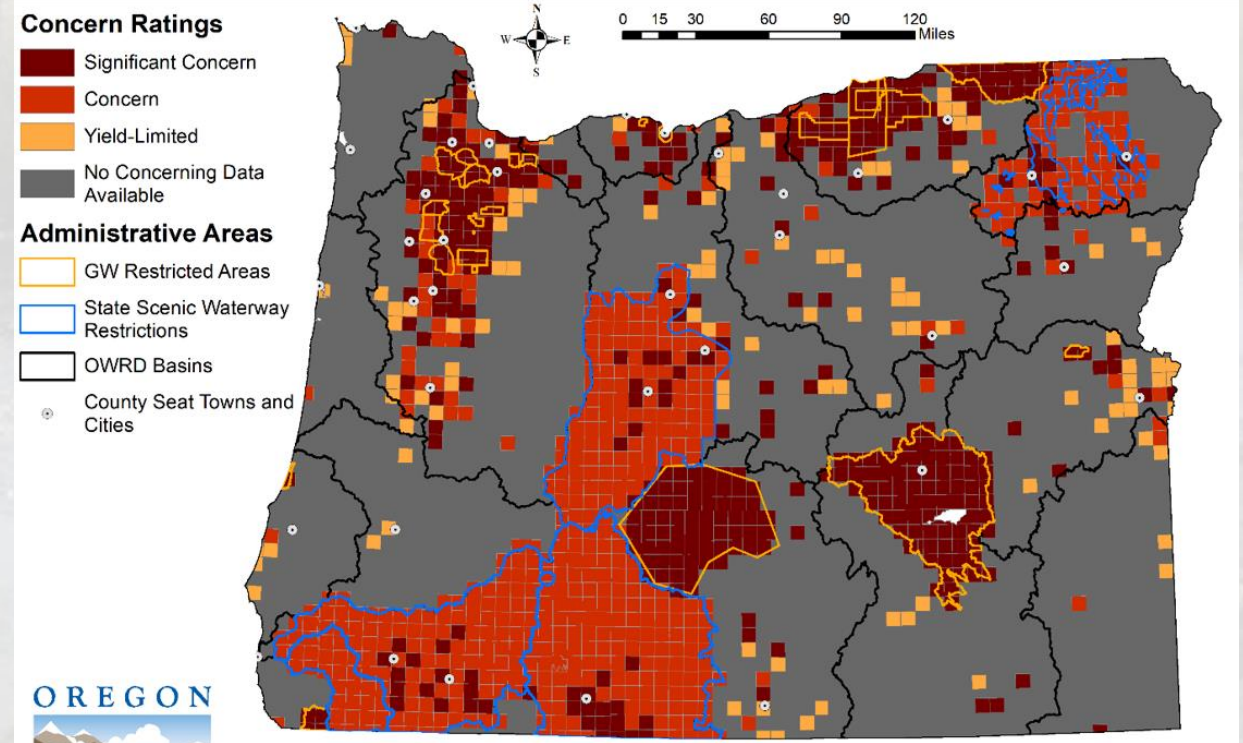


August Available Streamflow Calculated at 80% Exceedance

OWRD Hydrogeophysics (9/8/18) 12/28/2020. Projection: Oregon Lambert NAD 83. This product is for informational purposes and may not have been checked for or is not suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the original data and information source to ensure the usability of the information.



Estimated groundwater availability for irrigation



Concern Ratings

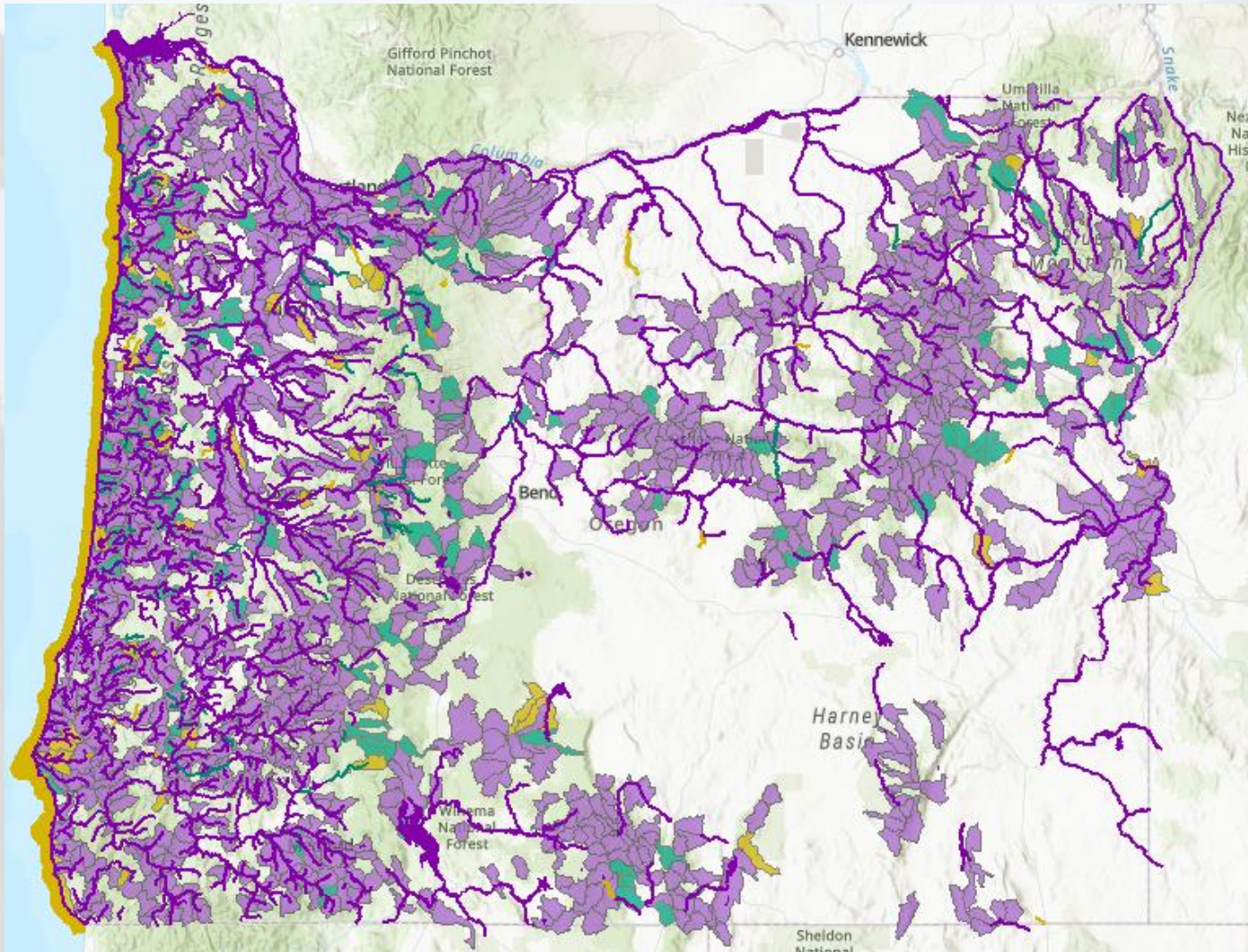
- Significant Concern
- Concern
- Yield-Limited
- No Concerning Data Available

Administrative Areas

- GW Restricted Areas
- State Scenic Waterway Restrictions
- OWRD Basins
- County Seat Towns and Cities

The concern ratings shown on this map reflect the sustainability and restrictions associated with expanded consumptive use of groundwater in a given area. They are not a substitute for a review of a groundwater application to determine availability of water for a specific use. Users of this information should consult the primary report and data to ascertain the usability of the information. This map may not be suitable for legal, engineering, or surveying purposes. OWRD Groundwater Section, 4/20/2021. Projection: Oregon Lambert NAD 83 (EPSG #2992).

Water Quality



Impaired Waters

Attaining Waters

Insufficient Data Waters

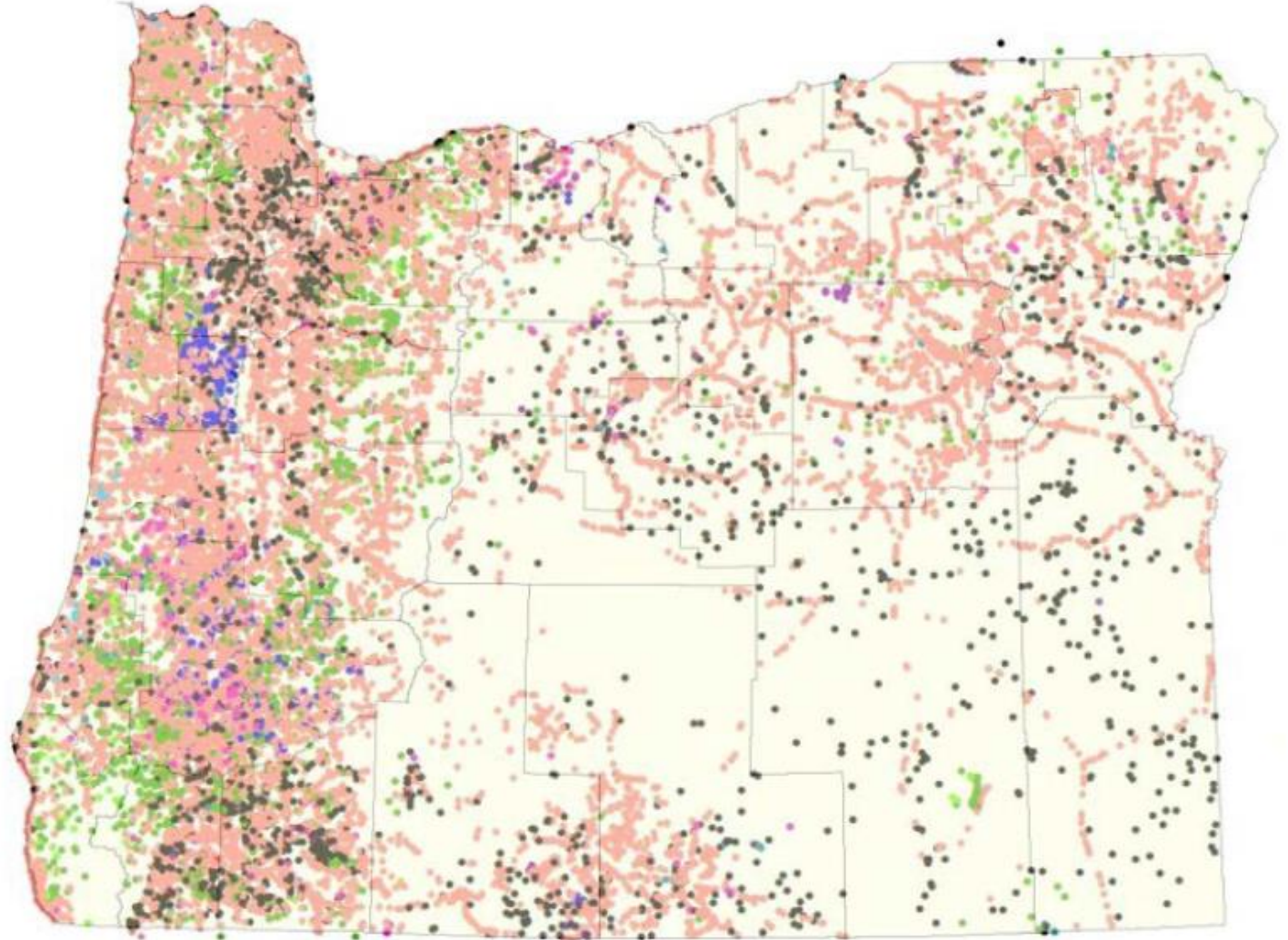
Screen shot of interactive
map of draft 2022
Integrated Report by DEQ
([learn more](#))

Ecosystems Needs

Types of Fish Passage Barriers

- Bridge
- Cascade
- Culvert
- Dam
- Ford
- Natural waterfall
- Other known barrier
- Tide gate
- Unknown
- Weir/still

Figure 4-11: Oregon Fish Passage Barrier Dataset



100-Year Water Vision

- Water system challenges: water availability, clean water, ecosystems, and community security
- Water management challenges: data & information services, community capacity, investments in water, water investment decision making, and education & culture

[Learn more](#)



IWRS and Water Vision Principles

IWRS

- Accountable and Enforceable Actions
- Balance
- **Collaboration**
- Conflict Resolution
- **Facilitation by the State**
- Incentives
- **Implementation**
- Interconnection/Integration
- Public Process
- Reasonable Cost
- **Science-based, Flexible Approaches**
- Streamlining
- Sustainability

100 Year Water Vision

- Affordability
- **Best Use of Available Science Combined with Local Knowledge**
- Balancing Interests
- **Coordination & Collaboration**
- Engaged Oregonians
- Infrastructure & Ecosystems
- Equity & Transparency
- Innovation
- **State Framework with Regional and Local Flexibility**
- Tribal Sovereignty
- Water as a public resource

HB 5006 Charge: A call to move forward

“Develop a framework and path for state-supported water planning and management at the water region and/or basin level, considering regional water management opportunities that build on the 100 Year Water Vision and further the goals of the Integrated Water Resources Strategy.”

81st OREGON LEGISLATIVE ASSEMBLY—2021 Regular Session

A-Engrossed House Bill 5006

Ordered by the House June 25
Including House Amendments dated June 25

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Oregon Department of Administrative Services)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Appropriates moneys from General Fund to Emergency Board for allocations during biennium.
Appropriates moneys from General Fund to specified state agencies for biennial expenses.
Modifies certain biennial appropriations made from General Fund to specified state agencies.
Limits biennial expenditures from specified moneys collected or received by specified state agencies.
Modifies limitations on expenditures for certain biennial expenses for specified state agencies.
Modifies certain biennial appropriations and expenditure limitations for biennium ending June 30, 2021.
Declares emergency, effective [July 1, 2021] on passage.

A BILL FOR AN ACT

1 Relating to state financial administration; creating new provisions; amending section 2, chapter ____.
2 Oregon Laws 2021 (Enrolled Senate Bill 5544); and declaring an emergency.

3 Be It Enacted by the People of the State of Oregon:

4 **SECTION 1.** In addition to and not in lieu of any other appropriation, there is appropri-
5 ated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General
6 Fund, the amount of \$50,000,000, for the purposes for which the Emergency Board lawfully
7 may allocate funds.

8 **SECTION 1a.** (1) In addition to and not in lieu of any other appropriation, there is appro-
9 priated to the Emergency Board, for the biennium beginning July 1, 2021, out of the
10 General Fund, the amount of \$198,000,000, to be allocated to state agencies for state employee
11 compensation changes for the biennium beginning July 1, 2021.

12 (2) If any of the moneys appropriated by subsection (1) of this section are not allocated
13 by the Emergency Board prior to December 1, 2022, the moneys remaining on that date be-
14 come available for any purpose for which the Emergency Board lawfully may allocate funds.

15 **SECTION 1b.** (1) In addition to and not in lieu of any other appropriation, there is appro-
16 priated to the Emergency Board, for the biennium beginning July 1, 2021, out of the
17 General Fund, the amount of \$20,000,000, to be allocated to state agencies for compensation
18 changes driven by collective bargaining for workers who are not state employees.

19 (2) If any of the moneys appropriated by subsection (1) of this section are not allocated
20 by the Emergency Board prior to December 1, 2022, the moneys remaining on that date be-
21 come available for any purpose for which the Emergency Board lawfully may allocate funds.
22

Note: For budget, see 2021-2023 Biennial Budget

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted.
New sections are in boldfaced type.

LC 9006



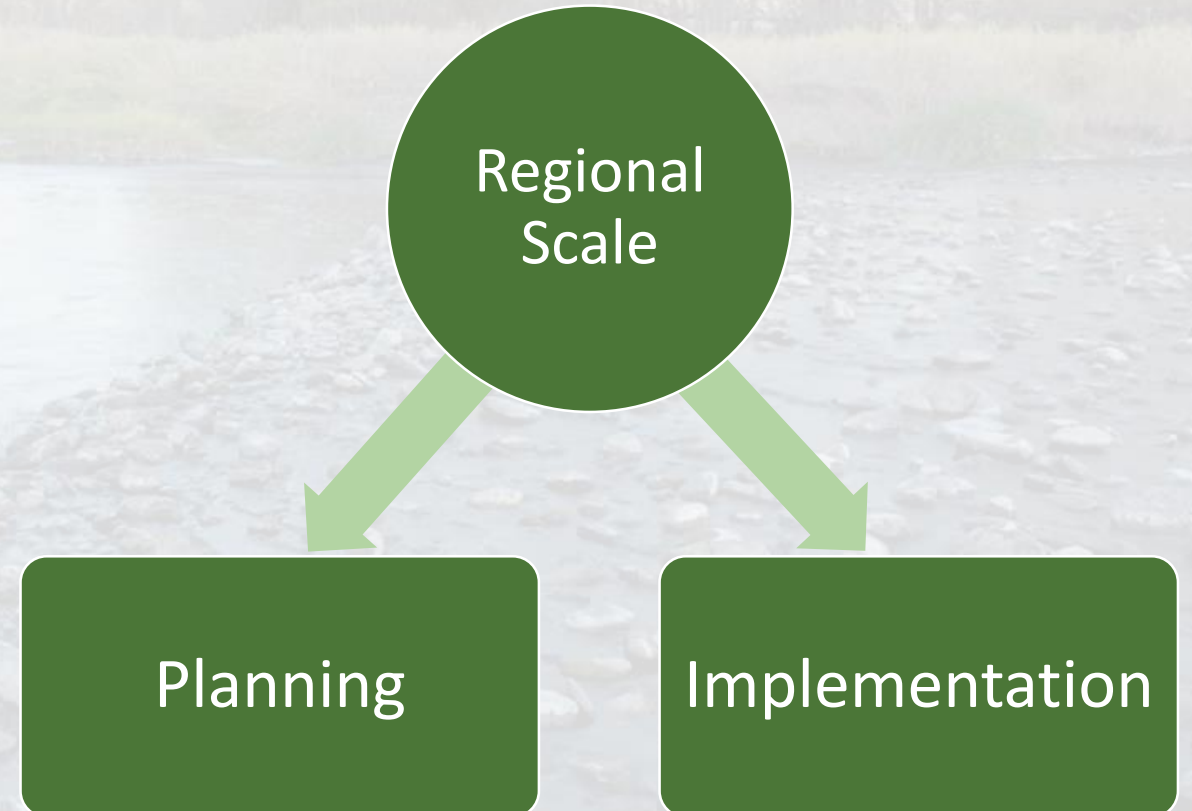
What are we talking about when we say 'regional planning and implementation?'

Offering terminology and a way to frame this system for Work Group consideration

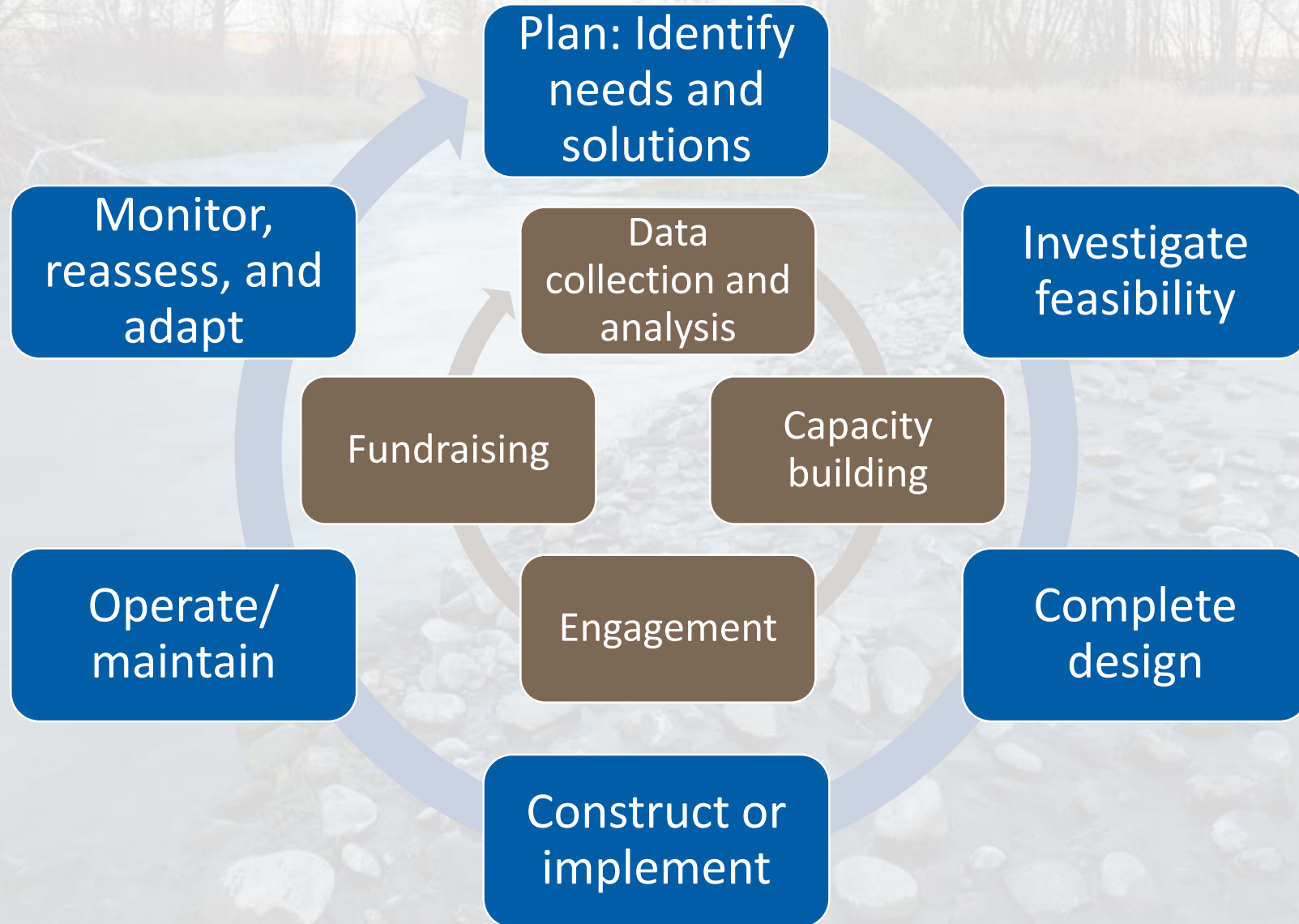
From Planning to Action

A process used to align people, information, ideas, and resources, in order to:

- 1) Identify and understand an issue, need, or opportunity that requires action,
- 2) Envision desired future outcomes,
- 3) Develop and evaluate strategies and actions to achieve the desired outcomes,
- 4) Implement agreed upon strategies and actions, and
- 5) Monitor, evaluate, and adapt as needed.



Planning and Implementation: A continuous cycle

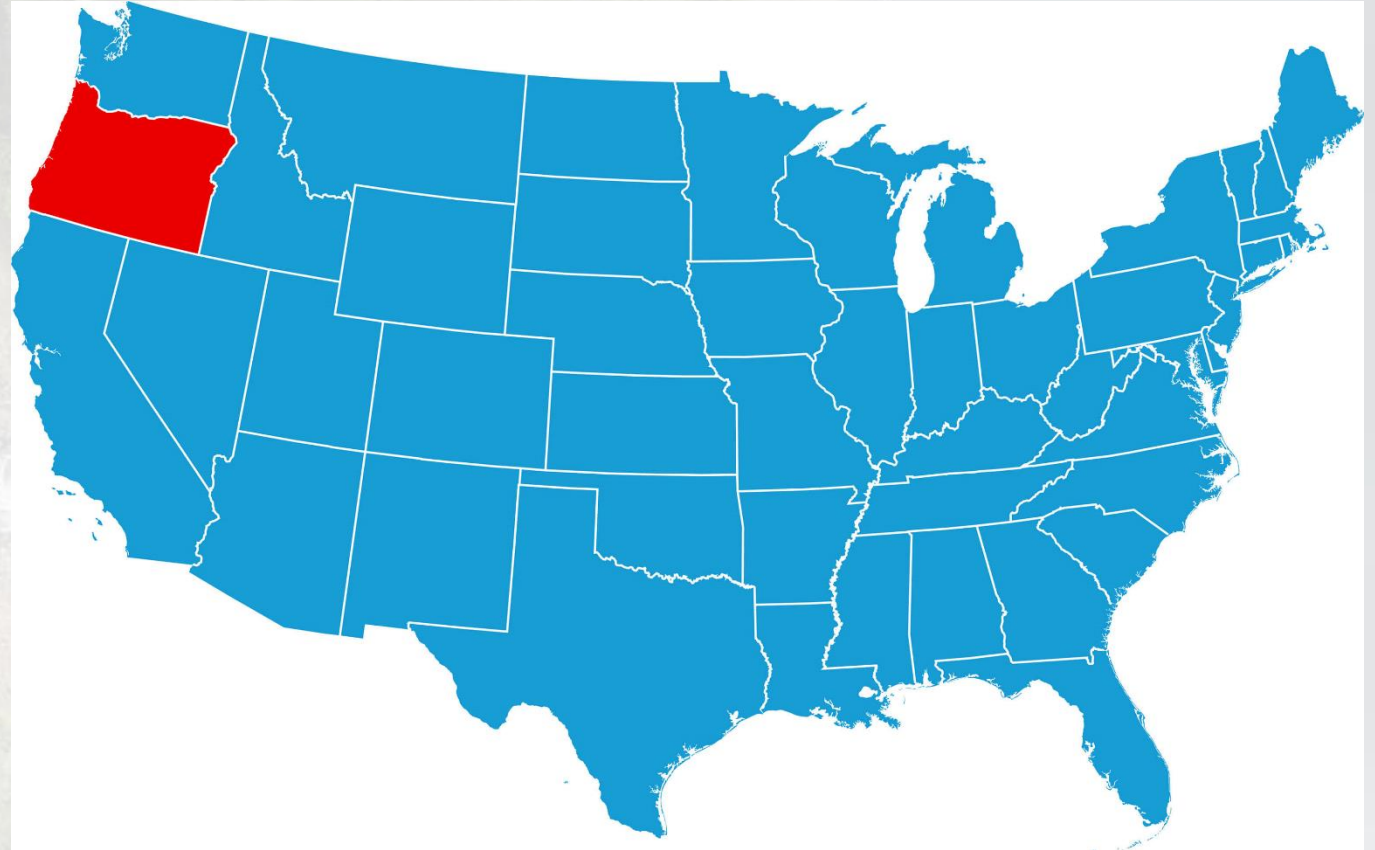
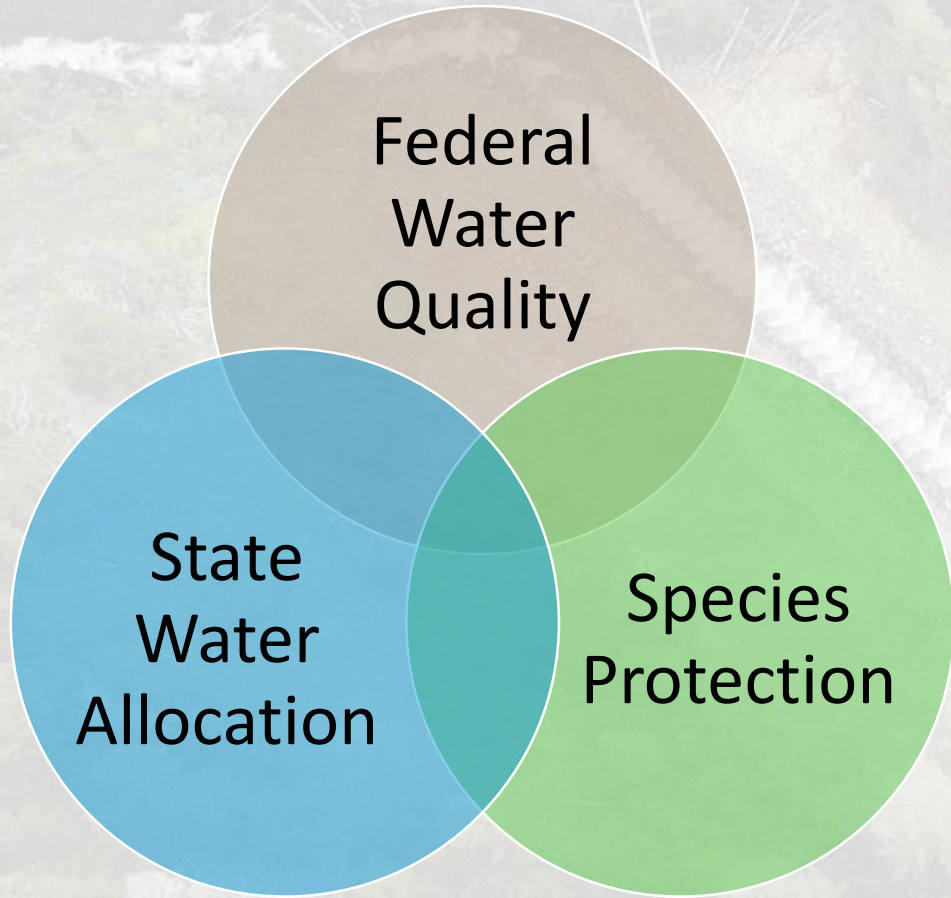


An aerial photograph showing a river flowing through a dense forest. The river is white with rapids in some sections. On the right side, there is a large concrete dam structure. The surrounding area is covered in green trees and some brown patches of earth or rocks.

What are important highlights of the system in Oregon?

Using the IWRS framing of 'water quantity, quality, and ecosystem needs' to acknowledge the complexity of Oregon's system without getting bogged down in the detailed specifics

Regulatory Context



Interagency Coordination

○ Cabinets (e.g., Natural Resource and Infrastructure)

○ Water Core Team

○ Program (e.g., Place-Based Planning, Division 33, etc.)

○ Issue area (e.g., STREAM Team, cannabis, etc.)

○ Regional Solutions Teams/Centers

○ Special initiatives (e.g., IWRS and Water Vision)


Current State System – Guiding Questions

What regional planning and implementation efforts does your agency lead?

Highlighting **agency** regional planning and implementation

What tools and resources does your agency provide to support other regional efforts?

Highlighting **local/regional led** regional planning and implementation

A man wearing a light-colored baseball cap with a logo and a blue and red plaid shirt is kneeling in a field of tall, dry grass. He is focused on a laptop computer that is open on a small wooden stool. To his left is a blue cylindrical water sampling device with various sensors and wires attached to its top. In front of him, a spool of black cable sits on the ground. The scene is brightly lit, suggesting a sunny day.

Water Quantity

Kim Fritz-Ogren, Planning, Collaboration, and Investments
Manager, Oregon Water Resources Department

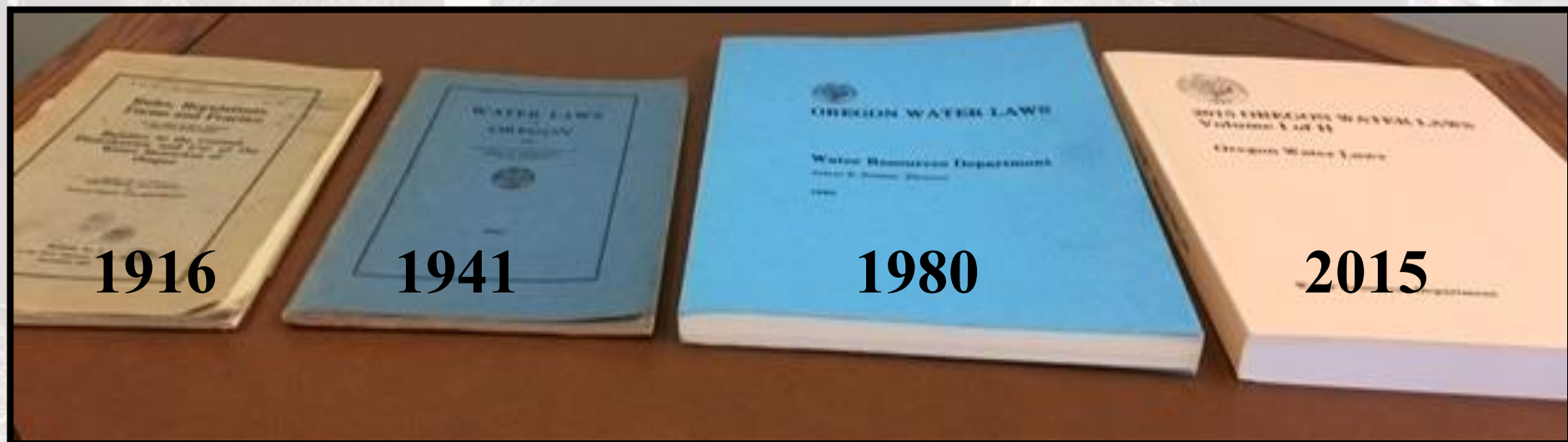
Water Quantity – Allocation by State

Historical Perspective

- Common Law Doctrine
- Oregon's Water Use Agency
 - No federal counterpart

Advancements in Law

- 1909 Water Code
- 1955 Groundwater Code
- 1987 Instream Water Rights Act
- 1989 Water Allocation Policy



Water Quantity – WRD driven regional planning & implementation

Basin Plans and Programs/Rules

Limited and Ad Hoc
Planning/Implementation

1955

Early 1990s

2015

Ad hoc planning examples: Partnering on federal basin studies, groundwater studies and groundwater area designations (CGWA and SWMPA), Oregon Water Supply Conservation Initiative

Pilot of Place-Based Planning
(only 4 places)

Water Quantity – WRD driven regional planning & implementation

In recent years WRD driven regional planning efforts are limited and ad hoc, focused on areas of:

Groundwater declines and fulfilling responsibility to manage groundwater sustainably

- Groundwater studies and rulemaking
- e.g., Harney Basin, Walla Walla Basin

High stakeholder interest and capacity that results in resources and charge to Department to act

- Willamette Basin Re-Allocation Study
- Deschutes Basin WaterSMART Study

Water Quantity – Tools and resources for others

Technical assistance

- Data: Surface water availability, groundwater levels, water rights, wells and well logs
- Ad hoc assistance on analysis

Financial assistance

- Place-based planning grants (sunsets June 2023)
- Feasibility study grants
- Water project grants
- Community engagement plans (HB 3293 forthcoming)

Planning assistance

- Water management and conservation plans
- Place-based planning (sunsets June 2023)

Regional Water Planning and Management

Oregon Dept. of Environmental Quality

March 8, 2022

Regional Planning and Management Workgroup Meeting #2

DEQ's Regional Planning and Implementation



Administration of federal programs

- *Clean Water Act: "restore and maintain the chemical, physical, and biological integrity of the Nation's waters."*

Implementation of state water quality programs

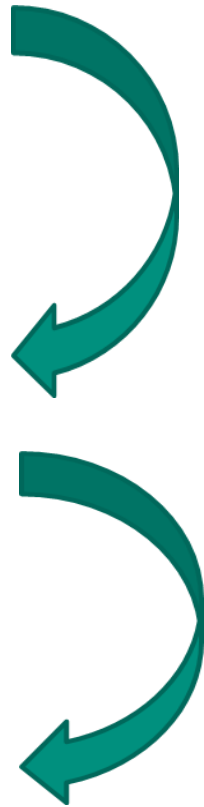
- Groundwater quality

Clean Water Act Framework

Develop In-Stream
Water Quality
Standards

Use Data to
Assess Waters

Develop
Watershed-based
Restoration Plans



- Developed on statewide and regional basis
- Relies on expertise and data within specific watersheds
- Includes engagement with state agencies, local land managers, tribes, local govt, etc.

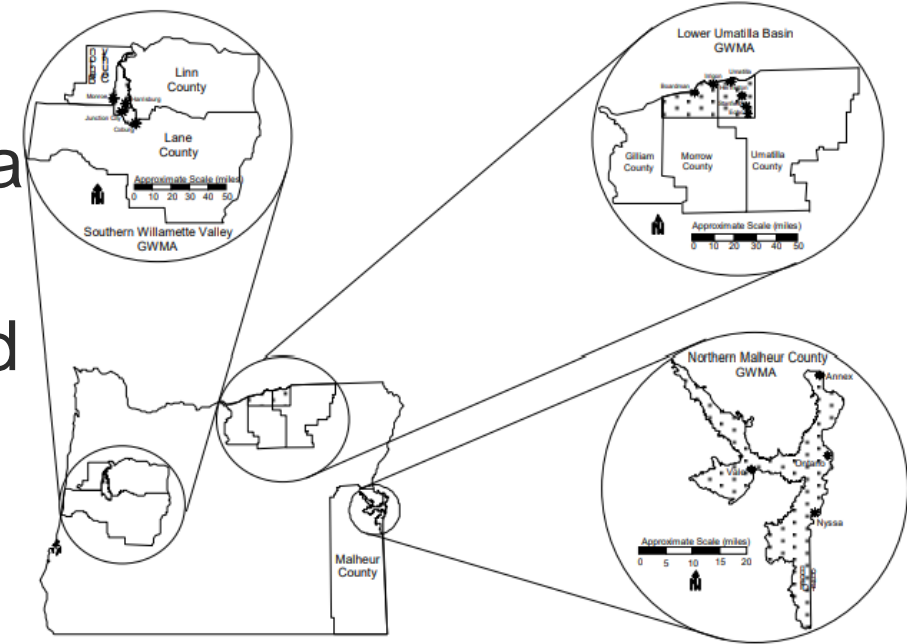
Groundwater

Regional Groundwater Management Areas

- Convene local groundwater management area committees
- Work with committee members to develop and implement action plans

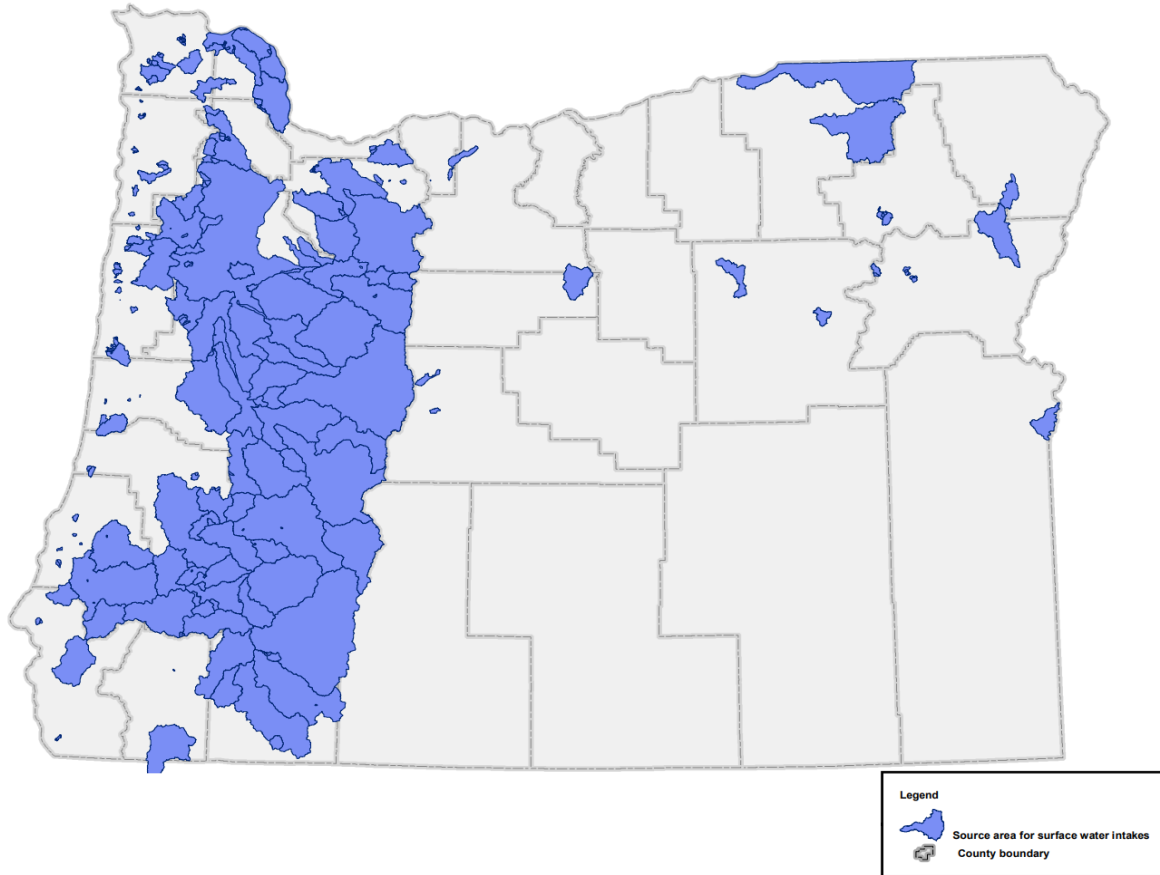
Statewide Groundwater Quality Assessment

- Collect and share groundwater monitoring data
- Review data to assess groundwater quality trends



Source Water Protection

Drinking Water Source Areas for Oregon Public Water Systems -
Surface Water



- Assist public water systems and communities with protecting drinking water sources through:
- Source water assessments
 - Monitoring of source water intakes and groundwater wells

DEQ Tools and Resources

Technical Assistance

- Support for 3rd party water quality monitoring & data management
- Identify priority water quality needs
- Provide data, info, and input into water quality restoration plans

Financial Assistance

- Loans to public entities for infrastructure and pollution reduction
- Grants to address nonpoint source pollution
- Identify financing options for drinking water utilities

Partnerships/ Collaboration

- Support Integrated Water Resource Strategy planning and implementation
- Interagency water quality implementation
- Working with local communities, landowners, groups

Questions?

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Drinking Water Regulation



- OHA Drinking Water Services, with its partners at ODA and LPHAs, regulates 3,300 “public water systems” to ensure compliance with rules & standards.
- “Public Water Systems” are defined as those serving 10 or more people or 4 or more service connections.
- Drinking Water Services does not have a Statewide or regional planning responsibility.

Drinking Water Regulation



- Drinking Water statutes authorize local governments to plan for public drinking water utility services.

ORS 448.165 Local government water service plans. "(1) Counties may develop water service plans. These plans should encourage small water systems to... consolidate where possible."

"(3) Counties or boundary commissions are authorized to approve the formation, consolidation and expansion of water systems not owned by cities in keeping with county and city plans. In doing so, counties or boundary commissions should consider whether water service is extended in a logical fashion and water systems have a financial base sufficient for operation and maintenance.

Drinking Water Regulation



- Drinking Water rules require public water systems serving more than 1,000 people to have Master Plans.

OAR 333-061-0060 “(5)(a) Each master plan shall evaluate the needs of the water system for at least a twenty-year period and shall include...”

“(D) An estimate of the projected growth of the water system during the master plan period and the impacts on the service area boundaries, water supply source(s) and availability, and customer water use.”

“(I) If required as a condition of a water use permit issued by the Water Resources Department, the Master Plan shall address the requirements of OAR 690-086-0120 (Water Management and Conservation Plans).”

OHA Domestic Well Safety

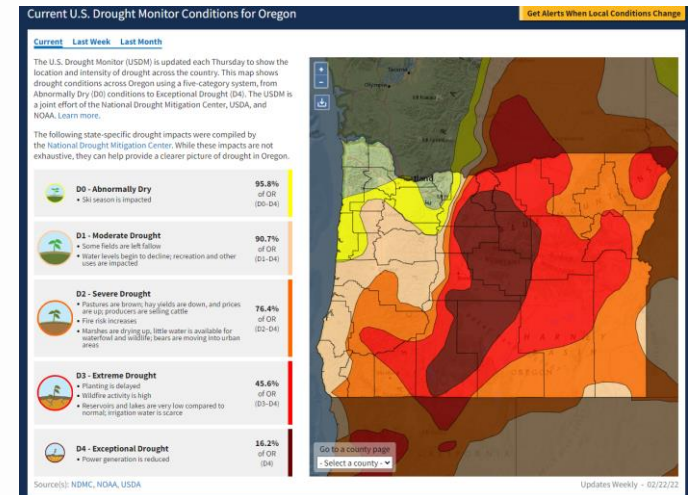
Nearly 23% of Oregonians rely on domestic wells, or private wells, as their primary source of potable water.

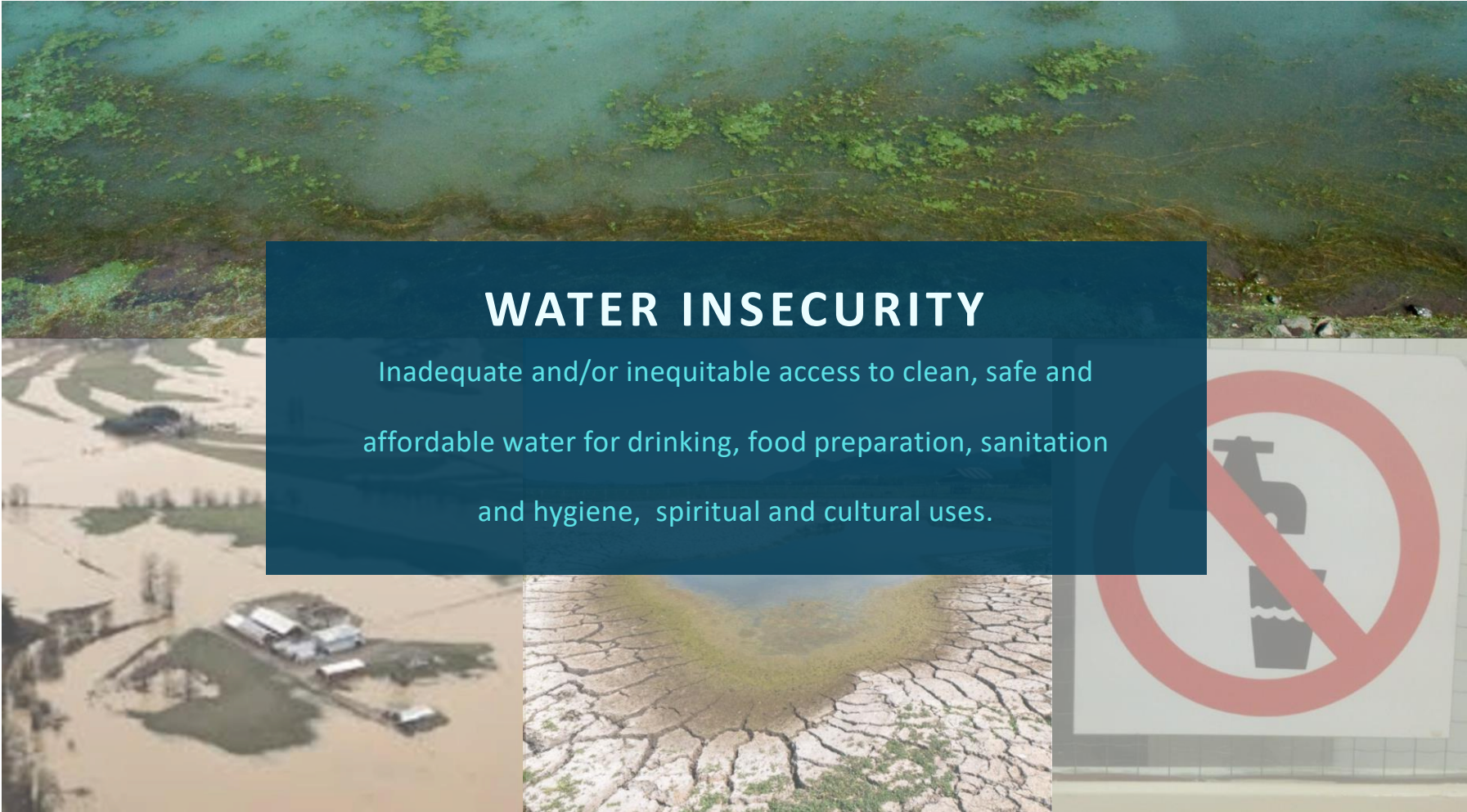


- Domestic Well Testing Act (ORS 448.271)
- Domestic Well Safety Program (DWSP)
 - Groundwater protection and well stewardship
 - Community and individual outreach

Regional Priorities: Domestic Wells

- **2020 Wildfire-impacted Domestic Wells Testing Project**
 - Free testing vouchers
- **Ongoing Drought – Klamath County**
 - Severe drought conditions and dry wells
- **OSU Be Well! Study – Jackson County**
 - Domestic Well Service Navigators
- **Lower Umatilla Basin Groundwater Management Area (LUBGWMA)**
 - Eliminate exposure to high nitrate (>10 mg/L)
 - Enhanced outreach and education
 - Increased domestic well sampling and treatment where needed





WATER INSECURITY

Inadequate and/or inequitable access to clean, safe and affordable water for drinking, food preparation, sanitation and hygiene, spiritual and cultural uses.



OREGON DEPARTMENT OF FISH AND WILDLIFE

Presentation to the Regional Water Management and Planning Workgroup

March 8, 2022

**Chandra Ferrari, Habitat Division Deputy
Administrator/Water Program Manager**



Presentation Overview

- ODFW Overview
- Key Questions
 - What regional planning and implementation efforts does ODFW lead?
 - What tools and resources does ODFW provide to support other regional planning and implementation efforts?



Mission

To protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.



What guides our work?

- [ODFW Mission](#)
- [Food Fish Management Policy](#)
- [Native Fish Conservation Policy](#)
- [Climate and Ocean Change Policy](#)
- [Wildlife Policy](#)
- [Fish and Wildlife Habitat Mitigation Policy](#)



Policy Takeaways

- Prevent and reverse declines of at-risk species
- Maintain and restore fish and wildlife populations for use and enjoyment by the public including to sustain opportunities for sport, tribal and commercial fishing
- Incorporate information about the changing climate and ocean into decisions/work
- Prioritize protection and enhancement for habitats that are currently high functioning and will remain functioning into the future.



ODFW Led Planning Efforts

Fish and Wildlife Management Plans

- Fish Management Plans include the current status of specific fishery species and planned management direction and actions.
- Wildlife Management Plans are species specific plans for game, threatened and endangered species that address issues such as ideal population size, response measures when animals cause damage, sport hunting, recent research, etc.



Conservation and Recovery Planning

- Oregon Conservation Strategy
 - Blueprint for voluntary conservation in Oregon. Presents a menu of recommended voluntary actions and tools for all Oregonians.
 - Strategy Habitats, COA's help guide our restoration/protection priorities
- Recovery/Conservation Plans
 - Often done in concert with federal agencies
 - Consistent with Native Fish Conservation Policy
 - Example: Rogue Southcoast Conservation & Management Plan
 - Ensure continued viability and conservation of key fish species
 - Water quantity and quality are limiting factors
 - Plan works with stakeholders to identify management strategies to address limiting factors
 - Plan intended to provide guidance to other agencies and organizations conducting habitat restoration and protection on public and private lands



the OREGON
CONSERVATION
STRATEGY



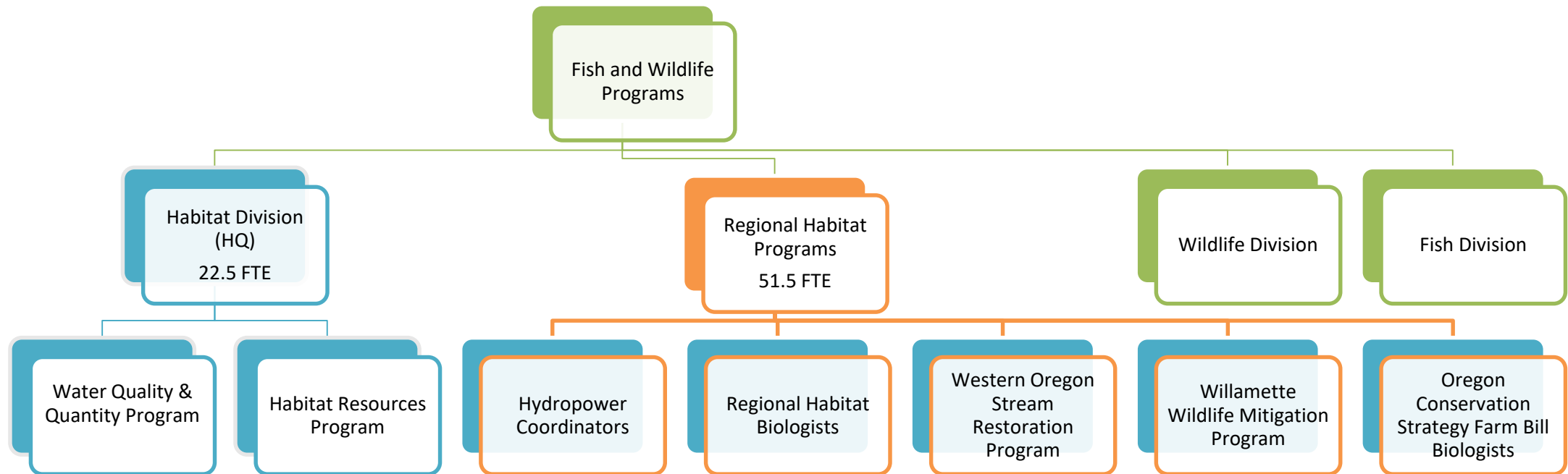
ODFW Roles, Tools and Resources

ODFW supports regional planning and management efforts led by other entities by:

<p>Collecting, synthesizing, and communicating the best available information about species' habitat distribution, needs, trends and future demands to water planning groups and other interested stakeholders</p>	<p>Identifying and communicating instream priorities and other strategic conservation priorities (Aquatic Habitat Prioritization, Conservation Opportunity Areas etc.)</p>
<p>Committing staff resources to participate in water planning and management venues to offer technical input and fish and wildlife considerations</p>	<p>Seeking or contributing financial resources for specific studies or projects that help further balanced water management solutions or fill critical data gaps.</p>
<p>Partnering with other natural resources agencies to provide information and priorities to inform and support their regulatory, collaborative processes and grant-making processes</p>	<p>Working with landowners and partners to implement habitat improvement and restoration projects according to management and conservation priorities.</p>

Habitat Division Programs

Habitat Division was re-established by Oregon Legislature in the 2021-2023 Budget. Habitat Division is made up of two statewide programs located in headquarters: the Water Quality and Quantity Program and the Habitat Resources Program. Habitat Division also allocates funding for six regional habitat programs located in various ODFW Watershed and field offices. More detail follows this slide on the individual programs.



Looking Ahead

- Sound science and information is needed. Habitat Division priority to fill data and information gaps and articulate priorities.
- Completion of guidance documents for planning groups (Guidance for Instream Demand Assessment etc.)
- Partnerships and building trust with stakeholders is critical
- New Water Planning Coordinator staff focused on provision of science-based information and helping to find balanced solutions.





Thank you!



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Regional Water Planning and Implementation in Oregon March 8, 2022

Oregon Watershed Enhancement Board

Eric Hartstein, Board and Legislative Policy Coordinator



What's OWEB and what does it do?

We give grants to help protect and restore healthy watersheds and natural habitats that support thriving communities and strong economies

OWEB Grant Types

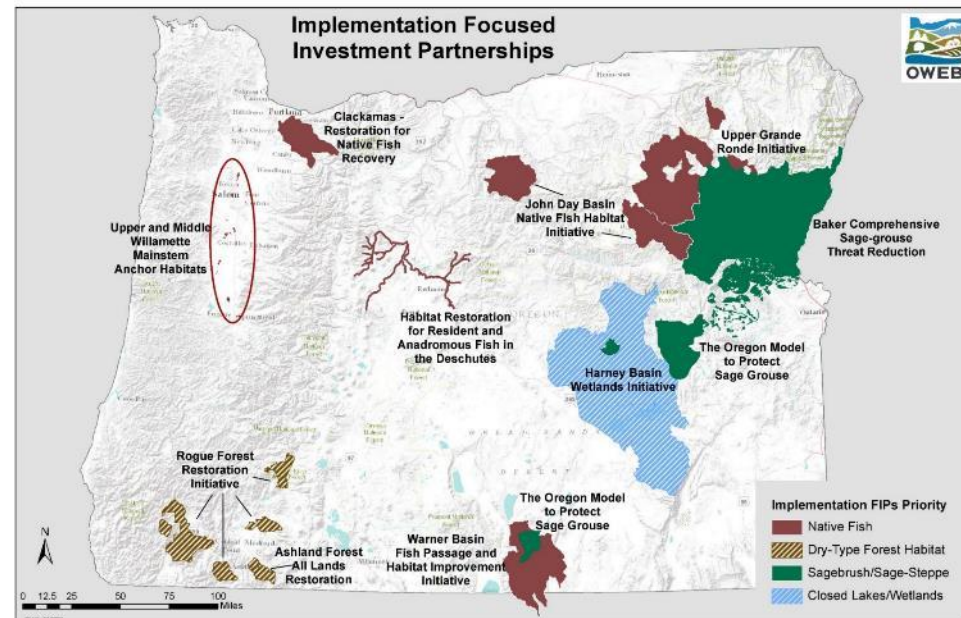
- Stakeholder Engagement
- Technical Assistance
- Restoration
- Monitoring



Focused Investment Partnership Grant Program



- Board Priority
- Achieves clear and measurable ecological outcomes
- Uses approaches identified through a strategic action plan
- High performing partnership



OWEB Board FIP Priorities



- Sagebrush/Sage-Steppe Habitat
- Oregon Closed Lakes Basin Wetlands Habitat
- Dry-Type Forest Habitat
- Oak Woodland and Prairie Habitat
- Coho Habitat and Populations Along the Oregon Coast
- Aquatic Habitat for Native Fish Species
- Coastal Estuaries in Oregon

<https://www.oregon.gov/oweb/grants/Pages/fips.aspx>

Water Acquisitions Grant Program

- Over \$5 million have been awarded since OWEB's inception
- Updated water acquisition criteria allows for permanent transfers along with contractually protected instream flows



Other Grant Programs with Water Focus

- Strategic Implementation Area Program
- Wildfire Recovery
- Drought Relief

