



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

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### MEMORANDUM

To: Melissa Leoni, Oregon Watershed Enhancement Board  
From: Brenda Bateman, Senior Policy Coordinator, OWRD  
Re: Biennial OWEB Report  
Date: November 5, 2010

The Oregon Water Resources Department is working on several fronts to strategically plan and provide for water conservation, storage, and use in the years ahead as increasing population growth and aquatic resource protection needs put heavier and hard demands on water. The Oregon Water Supply and Conservation Initiative (2007), the Water Conservation, Reuse, and Storage Grant Program (SB 1069, 2008), and House Bill 3369 (2009), all begin to address the issues of strategic water planning and plan implementation, data gathering, water storage and conservation, and community involvement. These programs, associated projects, and strategic planning will help put Oregon on a path of water-wise use for both out-of-stream and in-stream uses.

Below is a summary of Water Resources Department's accomplishments between July 1, 2009 and June 30, 2010, related to the Oregon Plan. You suggested four thematic areas for us address: (1) Conservation Investments/Technical Assistance to Watershed Groups; (2) Clean Water and Streamflow; (3) Fish and Wildlife Habitat; and (3) Regulation/Enforcement. We have included items in each of these areas.

#### **(1) Conservation Investments or Technical Assistance to Watershed Groups**

OWRD works closely with landowners, water users, and other partners to voluntarily move existing water rights to instream uses. As of June 30, 2010, about 1,700 cubic feet per second of water has been placed instream through conserved water projects, instream leases, and instream transfers. More than 70 percent of the water put instream on a permanent basis is "senior" water with certificates predating Oregon's 1909 water code. With grant monies from the National Fish and Wildlife Foundation, information about these instream projects can now be accessed through OWRD's website at [www.wrd.state.or.us](http://www.wrd.state.or.us).

**a. Conservation Grant Programs.** The Oregon Water Supply and Conservation Initiative, established in 2007, provided grants to 16 communities for planning studies. These awards went to communities that are taking a regional approach to meeting their current and future water needs. Several stand-alone water management and conservation plans were also funded late in the program. The communities receiving grants represent diverse locations across the state, as well as a mix of counties, cities, and districts. The list features a wide variety of water supply projects, ranging from water conservation, water banking, storage and transmission, policy road-maps, instream (environmental) issues, and out-of-stream (municipal and agricultural) demand forecasts. These awards totaled \$200,000.

The Water Conservation, Reuse and Storage Grant Program, established in 2008, provided matching funds for 21 feasibility studies across the state for a total of \$1.4 million. The program provided “up-front costs” that are often a considerable and insurmountable barrier that prevent potential water supply projects from being pursued. Cities, counties, irrigation districts, soil and water districts, watershed councils and conservation groups were funded to evaluate the feasibility of developing water conservation, reuse or storage projects. Studies evaluated different conservation opportunities such as the feasibility of lining irrigation canals, reusing effluent water, developing long-term water supply options, and developing new storage.

**b. Technical Assistance in the Siuslaw.** The Department partnered with the Siuslaw Estuary Partnership in a three-year project with goals of collaborative scientific investigation; public education and stewardship; water quality and quantity protection; wetland, riparian and upland area protection and restoration; protection and restoration of key estuary wetlands; and ecological growth planning. Efforts will include streamflow monitoring and an analysis of groundwater/surface water data.

**c. Technical Assistance in the Umpqua Basin.** OWEB has funded a streamflow monitoring program in the Umpqua basin since 2000. This program has allowed OWRD to employ two hydrologic technicians during the summer and fall to perform flow measurements on 23 high restoration priority streams. Under this program, streams were measured at least once every two weeks. A total of 1,912 measurements were completed through 2009. These measurements allowed OWRD staff to monitor flows on 477 miles of stream within the basin. The availability of this near real-time flow data has allowed timely regulation for instream water rights and leases. A total of 5,239 regulatory actions for instream rights and leases were made from 2000 through 2009.

**d. Technical Assistance in the Umpqua Basin.** The Department has inventoried 235 significant points of diversion within the basin. Those rights requiring measurement devices were checked for compliance. Measurement devices will be installed on the remaining diversions over the next five years. This enhanced measurement effort will allow agency staff to monitor withdrawals and ensure water users are not exceeding their legal entitlements.

**e. Additional Conservation Efforts.** The following is a summary of new individual transactions completed by the Department in individual basins.

- Willamette River Basin: Projects completed in 2009 and 2010 in the Willamette River Basin were all temporary in nature. Five new instream leases (3.0 CFS) were completed in 2009 with four of those leases also resulting in water that will be protected instream in 2010. In 2010, an additional 6 instream leases were completed resulting in the protection of 8.3 CFS.
- Hood River Basin: In 2009, the Department completed 3 new transactions, resulting in 1.23 CFS protected instream, including 2 instream leases and one allocation of conserved water. The allocation of conserved water resulted in 1.1 CFS of water permanently protected instream. In 2010, no new transactions have been completed so far but two of the transactions completed in 2009 will also protect 1.2 CFS of water instream in 2010.
- Deschutes River Basin: The majority of streamflow restoration activity occurs in the Deschutes River Basin. In 2009, the Department completed 5 allocation of conserved water projects, 6 instream transfers and 31 instream leases resulting in the protection of an additional 133.7 CFS. To date in 2010, the Department has completed an additional 2

allocation of conserved water projects and 2 instream transfers. Also, 11 new instream leases have been completed. Projects in place in 2010 have resulted in an additional 52.7 CFS of water being protected instream. The majority of the projects in the Deschutes Basin originate in the Deschutes River above Lake Billy Chinook. Originally, instream uses were only being protected as far as Lake Billy Chinook. However, more and more projects are being protected through Lake Billy Chinook, with some adjustment in the amount of water protected instream to prevent injury to other water users, and down to the mouth of the Deschutes River.

- John Day River Basin: In 2009, the Department completed 2 instream leases and 1 instream transfer resulting in 2.7 CFS of additional water being protected instream. The two instream leases completed in 2009 will also protect water instream in 2010. In 2010, the Department completed another two instream leases and one instream transfer. Projects in place in 2010 resulted in additional 3.6 CFS protected instream.
- Umatilla River Basin: In 2009, the Department completed 2 instream leases and an allocation of conserved water project, which resulted in water protected instream in the Columbia River itself. Projects completed in 2009 resulted in an additional 8.7 CFS of instream protection. There have not yet been any new transactions completed in 2010 but all projects completed in 2009 protect water instream in 2010.
- Rogue River Basin: In 2009, the Department completed 4 new transactions, including one instream transfer and three instream leases resulting 3.9 CFS of additional water being protected instream. However, the highlight for 2009, was the conversion of an 800 CFS hydro electric right on the Rogue River to an instream water right. Another three leases have been completed to date in 2010, bringing the total of new water protected instream to 804 CFS.
- South Coast Basin: No new projects were completed in 2009 in the South Coast Basin. However, one new instream lease has been completed resulting in 1.0 CFS of water protected instream.
- Mid Coast Basin: No new projects were completed in 2009 in the Mid Coast Basin. However, the Department did complete one new instream lease in 2010 resulting in the protection of 0.02 CFS.

**f. Conservation Programs Related to the 5-Year Status Review for Salmon and Steelhead**

One of the Department's key conservation actions is the Water Management and Conservation Program. This program works with both municipal and agricultural entities to promote more efficient use of water, leak detection, public education, emergency curtailment plans and long range water supply planning. The Department approved 10 WMCPs during the fiscal year ending June 30, 2010. During the past five years, the Water Management and Conservation Plan Program has reviewed and approved a total of 38 water management plans within the boundaries of the Salmon & Steelhead Domains. Of these plans we would feature the Port of Portland, Tumalo Irrigation District, East Fork Irrigation District, the City of Corvallis and Medford Water Commission for their outstanding performance and diligence in water management and conservation actions. Since working with our staff, the Port of Portland has gone from the fifth largest customer of the Portland Water Bureau to the eighth largest - the Port is a leader in use of non-potable water. East Fork Irrigation District installed a mainline pipe that allows the District to conserve water and more importantly eliminate a major source of turbidity to Neal Creek. The City of Corvallis and Medford Water Commission are leaders in conservation practices and public education.

The Department has a long history with watershed restoration. The original Governor's Watershed Enhancement Board was started as a program of the WRD. This collaboration continues on a day-to-day basis. Currently staff members are involved in the Regional Review Teams for the Oregon Watershed and Conservation Board's grant application process. Over the past five years hundreds of applications have been reviewed. This involvement goes beyond the application review. Staff members are involved in the design implementation and monitoring of many projects. For example our South Central Region staff performed the initial canal leakage analysis for the East Fork Irrigation District's pipeline, North Central staff have been instrumental in design of push up diversion alternatives in the John Day River Basin. East Region staff members are performing duties valuable to stream flow gaging. West Region staff members helped the Lincoln City Public Works Department remove stop logs in their unused diversion and were key players in the removal of Savage Rapids Dam. Our Groundwater staff members have been instrumental in conducting a groundwater study that has profound impacts to flow restoration in the Deschutes River Basin and also in Mosier Creek.

## **(2) Clean Water and Streamflow**

July 20, 2007 marked the 20<sup>th</sup> Anniversary of Oregon's Instream Water Right Act. Since the Instream Water Right Act was adopted in 1987, the Department has converted more than 500 of the state's minimum perennial stream flows to instream water rights, and has issued more than 900 state agency-applied instream water rights.

Oregon leads the country in flow restoration, with more than 1,100 individual instream leases, instream transfers, and allocations of conserved water that restore about 1,700 cubic feet per second (cfs) of streamflow for fish and wildlife, recreation, and pollution abatement.

For the first quarter of 2010, a total of 46.2 cfs of new water plus 835 cfs of carry-over water from 2009 has been protected instream. These protected flows are the results of the Department's Conserved Water Program and Instream Transfer/Lease Program and the conversion of a certificated hydro-electric water right to an instream water right. The converted certificate was for hydro-power generation at Savage Rapids Dam on the Rogue River.

## **(3) Fish and Wildlife Habitat**

**Fish Habitat in the Umpqua Basin.** OWRD partners with the local watershed council to develop flow restoration projects. To date, three ditch/flood – pump/sprinkler conversion projects have been completed on South Myrtle Creek and Windy Creek. These projects have removed in-channel diversion structures which impede fish passage and have provided more water instream.

## **(4) Regulation/Enforcement**

The Department has been working to increase water use measurement statewide. These efforts are initially focused on the largest surface water diversions (called "significant diversions") in high priority flow restoration watersheds. The Department has identified more than 2,300 such diversions that represent about 10 percent of the overall number of diversions in high priority watersheds, and account for about 50 percent of the volume of water diverted. The Department

is working with landowners to install water measuring devices (e.g., weirs, flumes, and meters) on these significant points of diversion (SPODs) in high priority watersheds around Oregon.

In addition, the Department actively protects instream water rights. More than 50 percent of streams regulated in Oregon are regulated to protect instream water rights.

**a. Regulatory Highlights for the Siuslaw River Basin.** Among other areas, Watermaster District #2 includes the Siuslaw River basin, which was once the most productive Coho Salmon stream on the Oregon Coast, second only to the Columbia River. The Siuslaw is now estimated to be at 1 percent of historic salmon production levels.

During the late summer the office monitors flows in Lake Creek, an important tributary to the Siuslaw to protect instream water rights. Three streamflow measurements and 32 regulatory actions taken were taken in 2009 to protect instream water rights in the Lake Creek Basin.

**b. Regulation in the Umpqua Basin.** OWRD monitors and regulates for 129 instream water rights in the basin. Since 1996, the Department has entered into 97 instream leases, which improved flow and aquatic habitat in critical salmonid habitat. Projects completed in 2009 and 2010 in the Umpqua River Basin were all temporary in nature. Four new instream leases (0.6 CFS) were completed in 2009 and resulted in water protectable in stream in 2010. In 2010, an additional six instream leases were completed resulting in the protection of 2.1 CFS.

Please let me know if you have additional questions about these items or other Department activities.