

Prior Text	Background	Discussion of Issue	Proposals For Consideration By Task Force	Ranking S=Support, N=Neutral, O=Oppose, M=Might support with further discussion, I=Not Enough Info.	Priority for task force to address (H,M,L)
<b>I. Evaluation of the sufficiency of existing tools to address short-term drought response needs and recommend additional tools to address short-term drought response needs.</b>					
New - Review programs			Review of state agency coordination of drought-related program efforts, including Office of Emergency Management, DLCDC, OWRD		
<p>Geographic area of drought declaration. &lt;Discuss Current drought declarations done on county basis typically. Pros and cons&gt; Purposes of Drought Declaration and Definition of Drought - &lt;Discuss the difference between a drought declaration and drought conditions, as well as differences in the need for state assistance. Discuss that there are many definitions of drought. Timing considerations of drought declarations. Linking drought declarations to the federal drought index&gt;</p>	<p>Overview of Process for Declaring Drought                      State drought declarations have typically been done on a per county-basis. There have been some exceptions, for example, in 1992 there was a statewide declaration, while in 2012 there was a declaration on a sub-basin scale in the Lost River subbasin. Prior to receiving a drought declaration from the Governor, the county has traditionally been required to first submit a letter from the Board of Commissioners or County Court, requesting the declaration and providing supporting information as to why it is needed. The Drought Readiness Council will review information provided by the county and data about conditions from the Water Supply Availability Committee to ensure that a declaration is warranted. The Drought Readiness Council also considers impacts on the ground that may require a response. It is important to note that a drought declaration makes state drought response tools available; however, there are likely to be areas of the state experiencing drought conditions that do not request or require state-level assistance. The Drought Readiness Council provides recommendations to the Governor's Office; ultimately, it is up to the Governor to decide whether to issue a drought declaration.</p>	<p>Discussion of Drought Declarations Process                      The current practice is generally to have the county request a drought declaration and then for a state drought declaration to occur on a county scale (Note: There have been some exceptions to this practice). There is no requirement in statute that the process occur in this manner. Some members observed that there may be some pros and cons to this approach. For example, it was noted that not all sectors or entities within a county are impacted by drought in the same way: only one sector, or one entity (such as a district or municipality) may require assistance. Some thought that this adds politics to the process of determining a drought declaration. Others noted that this approach allows for local input into the decisions and accounting for the local and regional conditions.</p>	<p>Revise the drought declaration process so that the Governor declares droughts (1) solely via ORS 536.740 (i.e. without a tie to the county emergency request under ORS 401.165) and (2) utilizing the US Drought Monitor.</p>		
Timing of drought declarations	Same as above.	Timing of Drought Declarations - The timing of drought declarations may make it difficult to utilize drought tools and plan for drought. Addressing timing may help both out-of-stream and in-stream needs. Presentation on in-stream referred to "first-tier hydrologic drought declaration".	>Having counties indicate that drought is likely or may occur in advance of a drought declaration and severe conditions, could be helpful to encourage planning and conservation in advance of severe conditions. >Potentially, this could also allow for access to limited tools (such as leases and water use agreements) and lead to increased outreach and public awareness.		

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<p>Evaluation of drought tools - Prevent unintended consequences – &lt;Discuss concerns over sustaining the resource for senior users over the long-term versus the short-term use? Need to minimize use of some tools unless there is a true emergency.&gt; What considerations does the task force want to highlight? Use of tools - What needs to be done to improve use of the tools? Or is the goal not to have to use the tools (safety net?) Equity issues with existing tools.</p>	<p>ORS 536.750 Powers of commission after declaration of drought; rules. See list in strawman report of various drought tools that become available upon drought declaration.</p>	<p>Staff and TF members have outlined the following in previous meetings, which could be added to the report if this is responsive to the proposal: (1) most of the drought tools are rarely used, if ever. WRD has no record of use of many of the tools, or limited records of such use (ie. not tracked due to infrequency), (2) temporary drought transfers and emergency drought permits are the most frequently used of the tools, however, use of these is often rare or limited except in a few counties where they have had a higher frequency of use (3) all tools are intended to be temporary in nature - multiple years of drought and multiple consecutive years of the use of some of the tools can have longer-term impacts and pose challenges (ie. drought permits), (4) some of the drought tools are not well known and suffer from a lack of understanding about how they would work (special options, drought leases, exchanges, and substitutions), (5) some of the tools are likely not used because drought declarations may occur too late in the year, (6) some of the tools might not be used because WRD has very little resources for education and outreach - therefore, there is a lack of awareness of their existence, (7) tools are intended to be used infrequently and in emergency situations only - therefore, the lack of use is a good thing. (For example, the preference for human consumption and stock allocates water outside of the prior appropriatoin system, taking water from senior users), and (8) Many of the drought tools duplicate WRD's regular existing tools; therefore, individuals might go through the regular processes instead.</p>	<p>Enhanced review of existing authorities granted the commission following a drought declaration: (a) frequency of use; (b) degree of effectiveness; (c) review of resulting issues or problems; (d) need for modification or expanded authorities.</p>		
<p>Curtailment/Conservation Plans- &lt;Inconsistencies in plans for entities within the same basin. Differences in conservation /curtailment triggers. Not all entities have plans developed.&gt; Challenges for small systems discussed in other section.</p>	<p>ORS 536.780 allows the Water Resource Commission, “upon a finding that a severe or continuing drought is likely to occur,” to direct individual state agencies and political subdivisions to prepare “a water conservation or curtailment plan or both.” In addition, some entities have developed curtailment plans as part of their Water Management and Conservation Plans.</p>	<p>There was some discussion by the task force about the role of curtailment and conservation plans in drought. One member noted that voluntary conservation efforts had been very effective. Some task force members noted that there are inconsistencies in plans for entities within the same basin and differences in conservation/curtailment triggers; this can cause confusion amongst the public that are within these areas. In addition, not all entities have plans developed, particularly small systems which are discussed in another section.</p>			
<p>NEW - Require Development of WMCPs</p>	<p>Existing drought statutes allow for Governor and/or WRC to order state agencies or political subdivisions (which includes municipalities and districts) to develop curtailment/conservation plans, including direction to undertake activities to prevent waste.</p>	<p>See above.</p>	<p>Governor and/or WRC should utilize this authority to include, at a minimum, municipal/quasi-municipal providers and districts, as well as state agencies. Require WMCPs: Governor could present to the Commission and request that, for any such entity without a WMCP, it require these plans to be produced.</p>		

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NEW - Mandatory Curtailment/Conservation During Drought	The Governor and the OWRC have the authority to require curtailment/conservation plans for state agencies, municipalities and irrigation districts under ORS 536.720 and ORS 536.780. CA has required a 25% statewide reduction in municipal water use, see: <a href="http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/emergency_regulation.shtml">http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/emergency_regulation.shtml</a> .	See above. During the 2015 drought Governor Brown issued an executive order directing state agencies to implement water conservation measures with a goal of 15% reduction of consumptive use; however, this was not extended to municipal/irrigation interests.	-Upon a declaration of drought, require mandatory curtailment that is tied to a conservation target (i.e. 25%) and/or river flows (i.e. flows hit XX, curtailment measures are triggered). Consider amendments to municipal water management conservation rules (Division 86) and/or drought rules (Division 19) to help rivers/fish in times of drought - Municipal Curtailment in Drought: Direct WRD to improve the "Municipal Water Curtailment Element" in the WMCP rules (OAR 690-086-0160) to specify that curtailment stages must include triggers related to river flows and fish needs. This could also be achieved by amending the drought rules to include triggers (OAR 690-019). - Require meaningful curtailment/conservation actions to be triggered at certain stages of drought: Direct WRD to improve the WMCP requirement to clarify what meaningful conservation/curtailment actions are required at various stages of drought. This could also be achieved by amending the Drought Rules (OAR 690-019). - Conservation Target: Direct WRD to revise the WMCP rules or the Drought Rules to require attaining a conservation target (like in CA) during drought. Credit would be given to entities that have already achieved low water use rates.		
Funding needed at various levels, including for planning.					
<b>III. Identify options to minimize the impact of drought on agricultural, municipal, and other interests</b>					
Emergency response projects, related to piping, pumps, etc <Discuss the criteria for Washington States' Emergency Response Fund and other states examples. Funding sources. Considerations. >	Staff can provide discussion of examples from other states presented on the first day.	Staff at previous meetings noted the challenges experienced with assisting small water systems with emergency needs for relatively small amounts of funding during drought in 2015. In addition, there was no emergency funding like WA has to incentivize instream flows or work.	Establish a fund for emergency response projects for both instream and out-of-stream needs. If there is an Emergency Response Fund, how should it be distributed? How much money is needed based on current vulnerability? Funding options should be carefully evaluated. What oversight is needed to ensure proper use of funds?		
Support for water use regulation and enforcement. Need for more Watermasters.	WRD can fill in info on watermasters.	Staff: Need to understand what aspect/issues want to include.	> Fund additional watermasters >See also discussion of waste below.		
Drought response, outreach and mitigation staffing at WRD	WRD can provide info on 2015 drought that pulled staff off of other work, as well as need for WRD to think about drought as an ongoing activity in order to engage in proactive actions for preparedness and mitigation, as well as outreach.	Staff: Need to understand what aspect/issues want to include. One suggestion from presentations was to "Coordinate statewide outreach and education regarding what tools are available, hyperlocal planning efforts, and create a culture of conservation among water use sectors."			
Helping Local Communities Leverage Federal Funding	Reference was in relation to FEMA funds for Hazard Mitigation Plans and WaterSMART funds. Hazard Mitigation Plan - 85 - Provide support for development and update of local and state hazard mitigation plans.				

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Implement OAR Division 410, sub-basin conservation plans including setting efficiency standards	690-410-060 - Conservation and Efficient Water Use - (1) Policy -- The elimination of waste and improving the efficiency of water use are high priorities...Programs to eliminate waste shall be implemented. In addition, improving the efficiency of water use through implementation of voluntary conservation measures.... Priority shall be given to developing subbasin conservation plans and providing public assistance in areas of known over-appropriation of surface water and groundwater and of water quality problems. (2) Principles -- Programs to achieve the policy in section (1) of this rule shall be guided by the following principles: (a) Water users shall construct, operate and maintain their water systems in a manner which prevents waste and minimizes harm...; (b) Major water users and suppliers shall prepare water management plans under the guidance of schedules, criteria and procedures which shall be adopted by rule. The plans shall evaluate opportunities for conservation and include a quantification of losses of water from the systems, an evaluation of the effectiveness and costs of alternative measures to reduce losses, and an implementation schedule for all feasible measures. During the planning processes, consideration shall be given to the environmental impacts from and time needed for implementation of system modifications. The Department shall assist water users and suppliers in the preparation of the water management plans; (c) The Commission shall encourage and facilitate the development of subbasin conservation plans throughout the state by local advisory committees. Subbasin conservation plans shall include measures to assist water users in eliminating waste, other methods to improve water use efficiency in the subbasin, funding proposals to implement the measures and procedures to protect water dedicated to instream uses from further diversion. Priority shall be given to ...areas where water supplies are not sufficient to meet demands. The Commission shall adopt rules to guide formation of broad-based committees, the preparation of subbasin plans, and the submittal of plans to the Commission for approval; (d) When wasteful practices are identified in water management plans and subbasin conservation plans, the Commission shall adopt rules prescribing statewide and subbasin standards and practices that ensure beneficial use without waste. The rules shall recognize that conditions vary for different parts of the state and for different uses; (e) A conservation element shall be developed and included in each basin plan when a major plan review and update is performed; (f) The collection, analysis and distribution of information on water use and availability are necessary... The ability to measure flows at authorized points of diversion is essential to the management of water and the elimination of waste; (g) The Commission shall support public education programs, research and demonstration projects to increase citizen and water user awareness of water conservation ...; and (h) The Commission shall support programs to provide economic assistance to water users to implement desired conservation measures...		Direct WRD to fully implement OAR 690-410-060: OAR 690-410-060 contains important tools to ensure the elimination of waste including but not limited to: i.e. (1) develop sub basin conservation plans and provide public assistance in areas of known over-appropriation of surface water and groundwater and water quality problems, (2) set basin specific efficiency standards and practices for irrigation/agriculture, (3) update basin plans to require a conservation element.		
Improve infrastructure to eliminate water loss from leaks		There are also barriers to this which should be mentioned later in report. Funding and technical assistance has been raised elsewhere but need to also acknowledge that some citizens don't want improved infrastructure in their backyard, which could also be brought up as an education need so people better understand need for piping and other improvements. Most ag water supply infrastructure has components that are 50 years old or more, some 100 years. Improving for water conservation and efficiency is one part, but also ensuring aging systems don't fail during drought (and there is some engineering info behind how less water can lead to more infrastructure issues).	>Fund infrastructure improvements and address aging infrastructure >Fund improvements to infrastructure to eliminate water loss from leaks >Conduct a statewide audit of existing water systems and prioritize inefficient systems for funding,		
Modify Allocation of Conserved Water program	WRD can provide summary of program	Conservation and use of conserved water ORS 537.455 – 537.500.	>Review of existing provisions regarding water conservation: a) utilization of conservation program; (b) identification of any impediments to the use of the program; (c) methods to enhance program utilization or statutory modifications to increase use of program. >It would be helpful to have more education statewide on this tool.		
Enforce against waste	Statute, rule and permit conditions all require that water be used beneficially without waste.		>Governor direction to WRD to actively enforce against waste and fund extra water masters to do this: Direct WRD to enforce against waste, including regulation of wasteful use and imposing civil penalties. Fund seasonal water masters to actively enforce against waste. No statutory changes are needed; the following can all be achieved under existing		
Groundwater Credits - Groundwater "credit" system for not using water to bank it for drought. Similar to Washington Odessa program					
Incentivize conservation actions, such as implementing inclining rate structure to					

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Incentivize conservation actions, such as tax incentives		Need more research: Believe that energy efficient rebates are not taxed/considered income and there are state tax incentives for making energy efficient change	Either providing tax incentives and/or not taxing water related rebates as income		
Incentivize conservation actions, such as WaterSense fixtures, EPA WaterSense Program			WaterSense fixtures, EPA WaterSense Program - Short Term -Provide educational tools on the use of these products and direct people to their local water utility to find out if they have incentives for installing these products.		
New - Plumbing Codes			WaterSense fixtures, EPA WaterSense Program - Long Term-Other States have adopted changes to their plumbing codes to encourage water efficiency.		
NEW - WMCP implementation before state funding			>Full compliance of WMCP a pre-requisite to state funding: Make full compliance with WMCP, including hitting target leak rate (10 or 15%, depending on plan and stage of plan) a prerequisite for qualifying for water project funding (e.g. 1069, etc.) unless that funding request is specifically and strictly for reducing leak rate or accomplishing other meaningful conservation.		
New - Require AG WMCP and Set triggers (see next below)			Modify drought rules and/or WMPC rules so, at a minimum, Districts have to develop a drought curtailment plan that sets curtailment triggers and conservation measures (i.e. WMPC "light").		
There is a lack of incentives for irrigation districts or agriculture to voluntarily participate in the WMCP program. Potential options could include giving preference for grant funding to applicants that have a WMCP in place; and providing regulatory flexibility or safe harbor for agriculture.	<Discuss current incentives noted by Lisa>		>Safe harbor and other incentives needed for WMCP's I to get more ag support. >Increased assistance for agricultural entities who wish to complete a WMCP.		
Forfeiture / WMCP Incentive	A right is considered to be forfeited and subject to cancellation if the right has not been used in the previous 5 years. This "use it or lose" it approach to water rights is a historic and foundational carryover from common law and prior to a permitting system, in which individuals were required to diligently put the right to use, or it would be lost.	Forfeiture was intended to ensure that water would be put to a beneficial use; however, it may have the unintended consequence of causing water users to fear that their right would be forfeited if they did not put it to use in its entirety, discouraging conservation. Changes made to Oregon Law tried to address this concern and encourage conservation by providing that a right could not be lost to forfeiture if the water right holder was otherwise, ready, willing and able to put the water to use, or that if the water is not available, this does not count as non-use for the purposes of forfeiture. Instream leases are also a tool to "stop" the forfeiture clock.	Look at removing or modifying forfeiture requirements within irrigation districts (and similar entities) that manage water, similar to tools municipal water suppliers have. Tool could be tied WMCP's which would further incentivize entities to complete one.		
<b>D. Identifying options to minimize the impact of drought on fish and wildlife</b>					
New - State funding of instream acquisitions / leasing water	Staff provided some info		>Provide state funds for the specific purpose of leasing and/or purchasing water for instream use in areas under declared drought. Prioritize funding for streams that support listed fish and/or are of high ecological values. >waive WRD lease fees during drought		

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New - Flexibility			Need flexibility for folks to put water instream when needed most for fish and in priority areas. >Allow pre-approval of leases		
New - Stream Assessment			Have a instream flow/fish priority stream assessment (where, timing, etc.) available to interested water users. Recommendation for ODFW.		
Allow management agreements, such as forbearance agreements to be registered with the Department and to count that as "use" for the purposes of forfeiture. While the water would not be protected from other downstream users from diversion, the provision would encourage water right holders to allow for water to stay instream.	See pg. 61 - "Nevertheless, water rights holders' concerns about forfeiture or abandonment were reported to us as a barrier to forbearance agreements. One solution to this issue might simply be experience —the more irrigators who enter into forbearance agreements without compromising their water rights, the more other irrigators will be willing to do the same. There are, however, some states that have taken extra steps to protect water rights in connection with short-term decisions not to irrigate. New Mexico, for example, allows irrigators to agree not to divert water and register their rights in a recognized Water Conservation Program, which protects that right from forfeiture. Colorado has recently adopted a similar provision. Washington allows water rights holders to temporarily donate their rights to the water trust program, leave the water instream, and be protected from forfeiture or abandonment. Another step that would potentially facilitate these deals would be statements of policy through new statutes, rules, or simply agency guidance that make clear that the rules of forfeiture or abandonment do not apply to decisions to temporarily suspend irrigation in order to enhance streamflows." <a href="http://waterinthewest.stanford.edu/sites/default/files/WITW-WaterRightsLawReview-2015-FINAL.pdf">http://waterinthewest.stanford.edu/sites/default/files/WITW-WaterRightsLawReview-2015-FINAL.pdf</a>	See background on forfeiture above. Under a voluntary or contractual agreement to restore instream flow, a water user forgoes the use of all or part of their water right (a forbearance agreement) or agrees to maintain a minimum flow in a waterway by altering their water use as necessary (a minimum flow agreement). These agreements provide flexibility to all parties to the agreement, but they potentially increase the risk of forfeiture of a water right under ORS 540.610. Three states currently offer alternatives to protect water rights associated with these types of agreements from forfeiture. Colorado law provides some protection to water users participating in conservation programs. New Mexico allows water users to develop water conservation plans and voluntarily leave water instream without risk of forfeiture. Washington allows water users water users to temporarily place (or remove) their water rights in trust with the state with very little administrative burden and no risk of forfeiture.	Allowing contractual agreements to restore instream flow to meet beneficial use requirements. Allowing water users to register these types of agreements with the Oregon Water Resources Department, whether through an abbreviated version of a Water Conservation and Management Plan or as stand-alone agreements, could greatly increase flexibility in meeting drought needs while reducing the risk of forfeiture.		
Add instream use to any certificate (2 western states), would increase ability to quickly respond to drought.	See pg 14 " Two states (California and Texas) explicitly allow water rights holders to "stack" two uses (instream and diversionary) onto the same water right, and give them the flexibility to decide every year how to allocate water between the uses, including how much water to leave in stream. Conservation groups in California are currently beginning to use so-called permissive dedications, because they give water rights holders flexibility on a year-to-year basis to change how they apportion their right, without going back to the state for approval of any change." <a href="http://waterinthewest.stanford.edu/sites/default/files/WITW-WaterRightsLawReview-2015-FINAL.pdf">http://waterinthewest.stanford.edu/sites/default/files/WITW-WaterRightsLawReview-2015-FINAL.pdf</a> <a href="http://www.waterboards.ca.gov/waterrights/board_decisions/adopted_orders/orders/2011/wro2011_0001.pdf">http://www.waterboards.ca.gov/waterrights/board_decisions/adopted_orders/orders/2011/wro2011_0001.pdf</a>		Allow instream use as one of multiple designated water uses on a single water right,		
Fishing Regulations: Any areas designated by EPA or Oregon DEQ as "thermal refugia" should be closed to fishing when temperatures meet or exceed 20C at all times, drought or not. Make ODFW temperature dependent fishing restrictions standard practice during drought			Establish proactive emergency regulation temperature triggers for fishing closures during drought, including protective triggers for thermal refugia. Detailsto be developed by ODFW.		

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NEW - emergency minimum flows for fish	The basic structure of the CA directive is as follows: a. Voluntary cooperative agreements to maintain emergency minimum flows for listed fish. b. If voluntary plans do not cover a significant percentage of the water diverted in the basin, then mandatory minimum emergency flows for listed fish. c. Curtailment of diversions to meet minimum emergency flows. Flows vary by season and include some pulse flows.d. Curtailment orders suspended if the identified listed fish are not present and/or there is a change in hydrologic conditions. For further information on how the CA regulations work go to the following link: <a href="http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/milldeerantelope.shtml#newinformation">www.waterboards.ca.gov/waterrights/water_issues/programs/drought/milldeerantelope.shtml#newinformation</a> .		Similar to California's regulations, set emergency minimum flows for fish on streams of significant ecological value.		
Require 100' no till buffers on each side of perennial streams on all lands designated for Exclusive Farm Use. These lands would be set aside to help achieve proper stream function and to protect fish and aquatic life. These stream buffers would also assist landowners in achieving compliance with state water quality standards as well as meeting provisions of Agricultural Water Quality Management Plans	Improving riparian protection across land use types and ownerships can provide important benefits to rivers and streams during times of drought. Healthy, functioning riparian areas (especially on agricultural lands) help resist the consequences of drought by storing water in the subsoil and releasing it gradually over the summer, prolonging instream flows. Water stored naturally underground is not subject to the heating and evaporation that occurs in man-made reservoirs and not only does not create passage problems for fish but may provide thermal refuges from elevated water temperatures. Riparian areas also protect water quality of lowered instream flows, caused by drought, by shading streams that, in turn, reduces water temperatures and increases cold groundwater inputs. Lower stream temperatures can resolve depleted levels of dissolved oxygen caused by low flows and riparian areas also help to filter out polluted agricultural runoff. Riparian vegetation stabilizes stream banks that, in turn, reduces erosion and sedimentation, which leads to shallower and warmer streams. And riparian vegetation adds complexity to streams, which improves fish habitat, increases the likelihood of aquatic life survival in times of drought, and increases hyporheic exchange.		Require 100 foot no till buffers on each side of perennial streams on all lands designated for Exclusive Farm Use.		
Dischargers that choose to land apply their wastewater instead of treating it to meet Clean Water Act requirements and discharging it to Oregon streams required to replace that volume of water that comprises instream flow with other sources.					
Groundwater recharge – Recharging groundwater through ponds, farmland, etc. Some areas doing this to increase streamflows and cool the water. Other areas doing this for aquifer recharge for later pumping.	<a href="http://water.usgs.gov/coop/products/availability/gw_storage_recharge.html">http://water.usgs.gov/coop/products/availability/gw_storage_recharge.html</a>				
NEW - Floodplain restoration .		Floodplain development, including dikes and levys can inhibit this connectivity, increasing the rate at which water leaves watersheds, concentrating the energy of floodwaters, reducing the amount of water stored in the floodplain over the water year, raising stream temperatures. Restoring floodplain connectivity can increase water residence time within basins, increase baseflow, create coldwater habitats, reduce the energy of floodwaters and more safely store floodwaters.	Floodplain restoration includes restoring the connectivity between the river and its floodplain and the shallow aquifer beneath the floodplain. This action links to IWRS Strategy Recommended Actions 11.A and 11.D. Funding options include Oregon Watershed Enhancement Board restoration funds and Federal and Tribal cost-shares.		

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NEW - Reducing tax risks associated with leasing water rights appurtenant to EFU lands.	Instream leasing allows water right holders to temporarily convert their water rights to instream use under ORS 537.348. These leases may temporarily move water rights from lands zoned for Exclusive Farm Use (EFU) zoning to instream use. The landowner will typically follow the associated lands during the instream lease period. ORS 308A.050 – 308A.128 define “farm use” and outline that EFU lands are assessed and taxed at a lower rate. Currently, “farm use” does not include temporary instream leasing. In Deschutes County, where land ownership is changing rapidly, instream leasing provides a critical farm management tool to help both existing and new landowners maintain their water rights while learning about or improving farm and irrigation practices. These landowners risk additional tax liability of up to 10 years in back taxes if they participate in a lease and follow their lands for greater than one year, creating a disincentive to lease in both drought and non-drought years.		Eliminate potential risks to farm tax deferral associated with instream leasing. - 308A.056 Definition of “farm use.” (3)(a) Farmland, the operation or use of which is subject to any farm-related government program; <u>Including instream leasing programs administered by the Oregon Water Resources Department as described in ORS 537.348(2)</u> - 308A.743 Disqualification limited when land subject to conservation and management plan, conservation easement, <del>or</del> deed restriction, <u>or farmland subject to farm-related government program; procedural requirements. (1) (C) enrolled the water rights appurtenant to irrigated farmland in instream leasing programs administered by the Oregon Water Resources Department as described in ORS 537.348(2)</u>		
<b>IV. Tools to assist small water providers in developing water management, conservation or efficiency plans and in anticipating drought risks and responses</b>					
<creating a template or abbreviated plan such as a WMCP-lite or a Drought Response plan; developing regional model plans (similar to Texas); providing technical assistance or funding support; >	The “small” water system designation includes the smallest of systems who operate from a volunteer approach with no office, tools, little resources, etc. to a system of 10,000 population (some definitions include utilities serving up to 20,000 pop.) with possible incorporated city resources or stand alone utility, offices, resources, web page, tech, 20 or mores employees, etc. Purchased water, ground water or surface water with a treatment plant also plays into this as does geographical area and neighboring utilities (interties, assistance), etc.	< Discuss Disparity in technical and funding resources for individuals and small water providers compared to the larger public sector and districts. Small systems don’t have staff capacity or money. Small systems need both technical resources and funding. >Question of duplicity regarding: existing WMCP requirements and existing requirements of OAR Chapt. 333 required OM Plans specifically under source, drought and emergency. Would want to keep it very simple and short and some of this may already be found in emergency plans. >An abbreviated WMCP-lite for a 10,000 pop system might be an easy undertaking and practically useful compared to a tiny utility of 50 to 100 population operated voluntarily. > If a utility/city wishes to expand upon conservation or curtailment plans and/or policies or incentives, consider locally driven rather than state driven. >OAWU has produced a template to address chapt. 333 OM requirements and provides regular formal training classes.	>A good format for a WMCP-lite may be simply a short question and answer format that could be distributed to all small water providers who don’t currently have one on file. This form would pull out key elements of WMCPs such as water supply and keep it simple. For example- maybe we just focus on the development of section OAR 690-086-0160 – Municipal Water Curtailment Element, which asks the water user to evaluate the ability to maintain delivery during long-term drought or other source shortages caused by a natural disaster, source contamination, legal restrictions on water use, or other circumstances. If we link this up with a toolkit (see communications/outreach) it may take a lot of the burden off small water users. >WMCPs for smaller entities: Governor to direct WRD to produce and make available a scaled down, off-the-shelf WMCP for smaller entities, including those that may not have a WMCP trigger (e.g. home owners associations, mobile home parks, smaller special districts). > If considering small utility WMCP-lite – very abbreviated and purposeful for this small sized utility and possibly include source (rights), alternative source or backup skeleton plan and curtailment triggers/plan. OAR Chapt. 333 could be expanded/focused on in training/outreach to broaden small system plans and address source, drought, emergency.		
NEW	Some California water providers are using. It’s a Drought Response Tool developed by a consulting group which is an Excel-based spreadsheet model to help agencies identify water savings opportunities, by customer sector and major end-use, and to quantify and compare the potential water savings benefits of implementing various suites of drought response actions.		A similar tool (or concept) could help many water suppliers determine where best to focus conservation efforts. <a href="http://www.ekiconsult.com/news/ekis-drought-response-tool-a-customized-analytical-model-designed-to-increase-the-certainty-and-transparency-of-drought-response-planning/">http://www.ekiconsult.com/news/ekis-drought-response-tool-a-customized-analytical-model-designed-to-increase-the-certainty-and-transparency-of-drought-response-planning/</a>		

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New - Outreach and Communications	Prior discussions included lack of resources for website, outreach materials, PSAs, education about drought tools and other tools, lack of social media. Etc.		Can be a key factor in helping small water districts prepare and mitigate drought - see discussion on communications below.		
NEW - Outreach to Small Water Providers			Communicating drought preparedness could also provide some benefit. The EPA has developed a check list of steps that water users could take to prepare. <a href="https://www.epa.gov/sites/production/files/2015-06/documents/drought_0.pdf">https://www.epa.gov/sites/production/files/2015-06/documents/drought_0.pdf</a>		
<b>V. Identifying the data and resources necessary for anticipating drought and drought impacts on the economy, communities and the environment</b>					
Assessment of Vulnerabilities and Impacts - Assess drought impacts, risks, and vulnerabilities in order to better understand, prepare, and recover from drought. There is a lack of quantifiable impact data. Understanding impacts and having robust impact data is essential to leveraging federal FEMA funding for resiliency projects.	Hazard Mitigation Plan - 77 & 105 - Develop and implement methodology for gathering data and identifying the communities most vulnerable to drought and related impacts; 81 - Continue to refine priorities, and those at greatest risk; 80 - Continue to refine exposure, vulnerability, and losses	According to (REF AB pgs 12-13), data on vulnerabilities and impacts can help to target response efforts. (Fontaine M.M. et al. 2012). Colorado's Drought Mitigation and Response Plan, provides an example of how to direct response efforts based on impacts and vulnerabilities ( Board, C. W. C. (2010)). Should State have directed response efforts based on impacts and vulnerabilities? If so, does Oregon have adequate impact and vulnerability data to inform State response actions?	> Maintenance of information from recent periods of drought (establishment of central repository of information regarding impacts resulting from drought). Thorough review of information may assist with efforts to mitigate impacts during future drought periods. > funding to quantify impacts of drought on agriculture and better understand the economic impact of drought on rural communities. >Determining which systems are truly affected by drought conditions compared to utilities with poor management practices, no finances, etc. and take advantage of drought declaration and funding. Also those with annual reoccurring low water/drought symptoms due to source or lack of design, planning, management, etc., and need of annual summer trucking in of water, etc. How many utilities need help of 3,423 public water systems compared to calls/requests from general population questions, etc. ?		
Increase streamflow measurement and recording	Hazard Mitigation Plan - 39 - Add real-time telemetry at existing gaging stations, 97 - Expand the state's stream gaging network. Seek stable funding for the operation, and maintenance of stream gages.		Provide funding for surface water data necessary to build resiliency against drought, i.e. stream gauges,		
Increase the number of sampling locations to ensure data is representative of local conditions, specifically snow survey location			Provide funding for groundwater data necessary to build resiliency against drought, i.e. USGS Groundwater Investigations, stream gauges, measurement devices, etc.		
Gather more groundwater data and increase analysis to better understand Oregon's aquifers, especially the size, replenishment rates and sources.			Fund and gather groundwater data and increase analysis to better understand Oregon's aquifers, especially the size, replenishment rates and sources. Groundwater Investigations (USGS/WRD joint studies) should be conducted. Hydrologic connection between sw and gw is a data need.		
Conduct more scientific studies evaluating instream flow needs with climate change		Make sure that with climate change and other conditions that the instream water rights are based on current science of what water is available in a given stream reach and with what fish need during key times			

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<p>Water Use Measurement and Reporting - This is already a recommended action of the IWRS. &lt;Are there items the task force wants to highlight in this report regarding this specific to drought, or is this an item for longer-term to put into referral to PAG? SEE IWRS 2b. Improve water use measurement &amp; reporting.</p>	<p><a href="http://www.waterboards.ca.gov/waterrights/water_issues/programs/measurement_regulation/#Benefits">http://www.waterboards.ca.gov/waterrights/water_issues/programs/measurement_regulation/#Benefits</a></p>		<ul style="list-style-type: none"> <li>- Governor direction to WRD/WRC to use existing authorities to require measurement and reporting of surface water diversions, groundwater and reservoirs (i.e. including but not limited to ORS 540.310, ORS 540.330, ORS 540.435. ORS 537.665).</li> <li>- Governor and/or WRC set near term deadlines for full implementation of all three tiers of the WRC's 2000 Strategic Water Use Measurement Plan (tier one-significant diversions in priority basins, tier two—significant diversions statewide, tier three-all diversions).</li> <li>- Provide additional funds to the Measurement Revolving Fund.</li> </ul>		
<p><b>VI. Improvements in information sharing necessary for enabling the public, water users and recreational in-stream users to understand drought conditions and to assist in efforts to mitigate or adapt to drought.</b></p>					
<p>Outreach and Education</p>	<p>See below</p>	<p>See below.</p>	<p>&gt;Education should include outreach about existing tools (instream leases, conserved water act, etc).</p>		
<p>Developing a communications tool box - Educating the public about water management and focusing on how all Oregonians are affected by drought. People need to understand where their water comes from. Developing technical "how to" education materials, including videos for all sectors. Example: Tree die offs due to lack of watering. Translating scientific reports so that individuals can better understand how to use the information within each sector. WaterSense is easy to communicate . Need for outreach and public information sharing. Statewide presence and coordination to prevent unintended consequences and share lessons learned.</p>	<p>Outline 2015 Response actions. Many of these materials are already available in other states. For example: <a href="http://cuwcc.org/Resources/Drought-Resources/tool-kit">http://cuwcc.org/Resources/Drought-Resources/tool-kit</a>. Added training on general drought mitigating for small water providers (based on location or type of source) could also be a tool (web-based). Hazard Mitigation Plan - 86 - Improve and sustain public information and education programs aimed at mitigating the damage caused by natural hazards</p>	<p>Communication was identified by some members as a critical component for conservation to be successful, stating that consistent messaging is necessary to inspire voluntary public participation. Highlight Ashland's campaign? &lt;Highlight other state's investments such as California? Prior discussions included lack of resources for website, outreach materials, PSAs, education about drought tools and other tools, lack of social media. Etc.</p>	<p>&gt;Education and Public Relations should be on-going and has proven effective in conservation and other areas. &gt;Develop generic materials related to drought (i.e. pamphlets of water conservation and curtailment, PSAs, website messaging, etc) that could easily be tweaked and modified to be water provider specific could help take the burden off of smaller suppliers who are short on staff. These materials could be hosted on a website for free download/access.</p>		

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<b>VIII. Mitigating and Adapting to Drought: Long-Term Water Supply and Resiliency</b>					
<p>The role of storage to increase resiliency to drought: some members advocated for the State to promote development of storage projects, conduct storage site prioritization, and provide other assistance (unspecified).</p>	<p>See IWRS Recommended Action 10B – Improve Access to Built Storage. [See IWRS discussion page 90]. Action 10E – Authorize and Fund a Water Supply Development Program. Action 13C - Fund Communities Needing Feasibility Studies for Water Conservation, Storage, and Reuse Projects</p>		<p>&gt;Increasing storage capacity in Oregon is a critical long-term drought planning need.                  &gt;Conduct storage opportunities inventory of potential sites for storage, including both surface and groundwater resources: (a) Identification of existing surface water storage facilities that may be increased in size with minimal impacts;(b) Identification and implementation of any pilot projects for above ground or below ground storage;(c) Status or progress report on use of funds allocated during Oregon’s 2015 Legislative Session (\$50 million).                  &gt;Need for modified flood control/spill procedures for reservoirs in times of prolonged drought. It relates to climate change and need to ensure that as we face water shortages that we are learning and modifying procedures to ensure that communities are still protected from flooding while having more water later in season for farms, communities, fish, and recreation. Look at what state options there are for flexibility in fill/spill. Would need some sort of sideboards for conditions (maybe years of drought).</p>		
<p>The role of upland forest management to increase water yield and quality. Some members noted the importance of the source of waters, such as the management of forests for water quality and water quantity, as well as the need to manage lands to reduce fire risk and impacts of fire on water systems.</p>	<p>See IWRS Recommended Action 11A – Improve Watershed Health, Resiliency, and Capacity for Natural Storage. [See IWRS discussion page 99] Action 5B – Assist with Climate Change Adaptation and Resiliency Strategies [See IWRS discussion page 57] Hazard Mitigation Plan 98 - Better coordinate, fund, and publicize programs to reduce the abundance of juniper trees in arid landscapes across Oregon.</p>				
<p>Land Use and Water Resources</p>	<p>Recommended Action 6A Improve Integration of Water Information into Land Use Planning (&amp; vice-versa). [See IWRS discussion page 60].</p>		<p>Better link land use and water resources. Simply stated if Oregonians want a large part of Oregon to remain EFU, then farmers need the water resources to be successful or there will be pressure to convert the land to other uses. (In the urban areas when land is zoned for high density, it is assumed sewer, water, transportation, etc. will be provided to make it happen. Why do we not assume the same thing for ag. lands?)                  Feedback: We need more context on the “relationship between water and land use planning.” What is that relationship? How is it relevant to drought?</p>		

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<p>NEW - An action plan, created before a drought, would enable a better response with the consequences of each action to be evaluated and known before hand.</p>		<p>What seems to be missing is an overall process to balance the issues PRIOR to a drought? Most of the tools presented appear to not become available until after Oregon is in a drought crisis.</p>	<p>Proactive process to be recommended similar to an Economic, Social, Environmental and Energy analysis (ESEE) for Oregon's Goal 5 in land use.</p> <ol style="list-style-type: none"> <li>1. Identify an Impact Area;</li> <li>2. Identify activities that conflict (i.e., could adversely impact) with the resource site and its impact area;</li> <li>3. Consider the economic, social, environmental and energy consequences of the following three program options: a. Prohibit conflicting uses providing full protection of the resource site. b. Limit conflicting uses offering limited protection of the resource site (balance development and conservation objectives) (developed by the jurisdiction) c. Allow conflicting uses</li> <li>4. Based on the ESEE analysis, adopt a protection program.</li> </ol> <p>An action plan, created before a drought, would enable a better response with the consequences of each action to be evaluated and known before hand.</p>		