JULY 19, 2016 - MEETING NOTES - Final Location: State Lands Building | Land Board Room

MEMBERS PRESENT:

Cook, JR	Priestley, Kimberley	Snell, April
DeLorenzo, Suzanne	Quaempts, Eric (phone)	Nash, Mary Anne
Golden, Brett	Rees, Robert	Kosesan, Richard
Green, Jason	Shoun, Dan	
Park, Rod	Smitherman, Julie	

AGENCY STAFF:

Racquel Rancier, OWRD	Ivan Gall, OWRD	Debbie Moller, OEM
Lanaya Blakely, OWRD	Brenda Bateman, OWRD	
Alyssa Mucken, OWRD	Matt Marheine, OEM	

AUDIENCE:

Basil Williams, Lauren Smith, Tom Wolf, Jerome Ross, Jeff Stone, Adam Meyer, Tracy Rutten, Peggy Lynch

I. Welcome and Introductions

Racquel Rancier welcomed everyone. Audience members introduced themselves and identified their affiliation. Members introduced themselves and briefly described their experience with drought.

I. Agenda Review

Rancier reviewed the schedule; no changes were suggested.

II. Elect Task Force Chair

Rancier noted that Senator Roblan and Representative Helm were unable to attend the meeting, but had volunteered to serve as Co-Chairs. No other members signaled an interest in serving as Chair. Members Snell and Shoun motioned to elect Senator Roblan and Representative Helm as co-chairs. Motion passed 13-0-2.

II. Operating Principles and Proposed Rules

Rancier reviewed the proposed task force operating principles and proposed rules.

Discussion included:

1) Concerns about members fulfilling their obligation if they are unable to attend all meetings. Suggestions included: allowing alternates or voting by proxy. Staff will discuss with the Governor's office.

2) Concerns about sector representation and voting on recommendations. Suggestions included: amending operating principles to include "all task force members will have the opportunity to review the final report in advance of the final vote on recommendations," submit a minority report, and/or members who disagree with proposals can note their concerns within the official report. A member specifically mentioned formatting the report similarly to the 2009 Deschutes Mitigation Workgroup report, which included sections describing areas of consensus and areas consensus was not reached.

3) Question about process of agreeing to recommendations. Should members vote iteratively or on the final report?

4) Adding language to key operating principle stating that task force will "strive to reach consensus".

Members agree to discuss topics 1-4 at future meeting. Rules and operating principles were not adopted.

II. Scheduling Future Meeting Dates

Rancier surveyed individuals on availability to attend future meetings. Members listed below will be unavailable:

August 1: Kosesan, Priestley, Snell
August 15: Rees
August 30: Golden, Priestley, Rees, Shoun
September 15: Cook, Rees
September 27: Golden, Rees, Smitherman (1/2 day)
October 12: None
October 25 (if needed): Quaempts

STAFF NOTE: August 30 meeting will be canceled. Task Force members are asked to hold all other dates.

III. Background Information on Drought and HB 4113,
IV. Drought Framework and 2015 Response
V. Examples of Other States' Response Tools

Rancier presented information describing the history of drought in Oregon, background leading to House Bill 4113, Oregon's drought response and mitigation plans, literature on drought management frameworks, and examples of unique drought management strategies used by other states.

Discussion included:

- Scope of the task force and how to create the best end product.
- The difference between a drought declaration and drought conditions, as well as differences in the need for state assistance.
- Whether drought declarations should occur on a county-scale or some other scale, such as basin scale.
- Should drought declaration be tied to a scientific trigger, and/or something else?
- Challenges with leasing during drought.
- Members asked about OWRDs data on drought inquiries from various sectors. Response: It's difficult because so many sections within OWRD received inquiries. There is a need to expand institutional capacity to better respond and collect data about drought. No funding to evaluate the impacts of drought. Other state's pay to quantify impacts.
- Need for outreach and public information sharing. Statewide presence and coordination to prevent unintended consequences and share lessons learned. Example: Tree die offs due to lack of watering result in canopy loss, which affects future water retention. The best decision in the short term is not necessarily the best in the long term.
- Lack of tools to assist with developing pre-disaster mitigation plan to qualify for pre-disaster funding with FEMA.
- EPA WaterSense Program.
- Questions regarding whether WRD already has funding program, like SB 839, that could be used to address drought. Response: SB 839 is not set up to address emergency drought concerns due to long application notice periods and processing time.
- Equity issues with allowing drought tools.

Members requested additional information about the following:

- More in-depth overview of existing tools; comparison of regular versus drought; frequency of use

VI. Brainstorming Session

Task force members identified areas of concern and brainstormed solutions related to drought response. The ideas described herein are the views of various Task Force members for discussion purposes only and their inclusion does not indicate consensus of any kind. Topics can be categorized as follows: outreach, conservation, funding, data, short-term tools, and long-term water supply and resiliency. In all categories, members identified the need for drought specific technical support and potentially funding for successful implementation of new or improved strategies.

Outreach

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. Suggestions included the following:

- 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.
- WaterSense is easy to communicate.
- Translating scientific reports so that individuals can better understand how to use the information within each sector.
- Developing technical "how to" education materials, including videos for all sectors.

Conservation

Conservation was suggested as another critical element. Suggestions included:

- Incentivize conservation actions, such as implementing inclining rate structure to encourage water savings, tax incentives, WaterSense fixtures.
- Implement OAR Division 410, sub-basin conservation plans including setting efficiency standards.
- Increase support for water use regulation and enforcement of wasteful water use.
- Improve infrastructure to eliminate water loss from leaky pipes.
- Measurement and reporting.
- Modification to Allocation of Conserved Water Program.
- Tie minimum flows to mandatory curtailment, and voluntary water use agreements (similar to program between California and NOAA Fisheries).

The task force specifically discussed the WMCP program in its capacity as a drought management tool. Areas of discussion included:

- Inconsistencies in plans for entities within the same basin.
- Inconsistencies in plan conservation triggers.
- 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.
- Lack of incentives for irrigation districts or agriculture to voluntarily participate in the WMCP program.

Possible solutions discussed included:

- 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; giving preference for grant funding to applicants that have a WMCP in place. It was noted that prioritizing funding may inadvertently exclude smaller utilities that may need help most.
- Providing regulatory flexibility or safe harbor for agriculture.
- Make mandatory curtailment tied to a conservation standard, similar to California's 25%, and/or tied to river flows for fish.

Follow up: Need to clarify requirements between Oregon Health Authority and Water Conservation and Management Plans. Need to provide more information on WMCPs, how many there are, what are the requirements.

Funding

Funding for drought response is a challenge. The task force discussed several specific funding needs including:

- Funding needed at various levels, including for planning.
- Drought response staffing at WRD.
- Instream acquisitions.
- Need for more Watermasters.
- Emergency response projects, related to piping, pumps, etc.
- To assess drought impacts.

Discussion: Some concerns were expressed about the necessity and operation of a new emergency funding program, as well as, the challenges of scaling funding. It was noted that the true emergency needs would likely be small. Can investments to address lead issues address water conservation needs, too? The criteria for Washington States' Emergency Response Fund were highlighted as an implementation example. Who do other entities and communities talk to get information? Are there other funding sources?

Data

Some members identified potential data gaps and made the following suggestions:

- Increase stream flow and groundwater measurement and recording.
- Increase the number of sampling locations to ensure data is representative of local conditions, specifically snow survey location.
- Gather more groundwater data and increase analysis to better understand Oregon's aquifers, especially the size, replenishment rates and sources.
- Conduct more scientific studies evaluating instream flow needs with climate change.
- Improve drought forecasting.
- Assess drought impacts, risks and vulnerabilities in order to better understand, prepare, and recover from drought. There is a lack of quantifiable impact data. Emphasis was on ensuring that vulnerability data was representative of all communities and regions since drought and the necessary level of response varies. Understanding impacts and having robust impact data is essential to leveraging federal FEMA funding for resiliency projects.
- Link drought declarations to the federal drought index.

Other Short-Term Tools

- Make ODFW temperature dependent fishing restrictions standard practice during drought.
- Register management agreement or forbearance agreement counts toward use (not-non use).
- Add instream use to any certificate (2 western states), would increase ability to quickly respond to drought.
- Groundwater "credit" system for not using water to bank it for drought. Similar to Washington Odessa program.
- 5 year forfeiture clock.

Long-Term Water Supply and Resiliency

- Focus on long term solutions.
- Storage was identified by several members as a long-term critical element to increase resiliency to drought. Need to promote development of storage projects. Conduct storage site prioritization. State needs to help (need more details on how).
- Upland forest management to increase water yield and quality; need to focus on source. Need to manage lands to reduce fire risk and impacts of fire on water systems.
- Match water use with land use goals.
- Improve measurement and recording of water use in anticipation of drought.
- *Note: Also see conservation section.*

VII. Public Comment

None received.

VIII. The Task Force was adjourned at 4:15 pm.

Next Meeting:

Date:	August 1, 2016	Location:	North Mall Office Building (NMOB), Conference Room 124, 725 Summer St. NE, Salem, OR 97301