



# Oregon's Water Future

## **Oregon Association of Conservation Districts 2021 Annual Meeting**

November 9, 2021

Tom Byler, Director

# Mission and Goals

## Mission

- To serve the public by practicing and promoting responsible water management

## Goals

- Restore and protect streamflow to ensure the sustainability of Oregon's ecosystem, economy, and quality of life
- Directly address Oregon's water supply needs

# Advancements in Water Law

**1909:** Oregon Water Code

**1955:** Ground Water Act

**1987:** Instream Water Rights Act

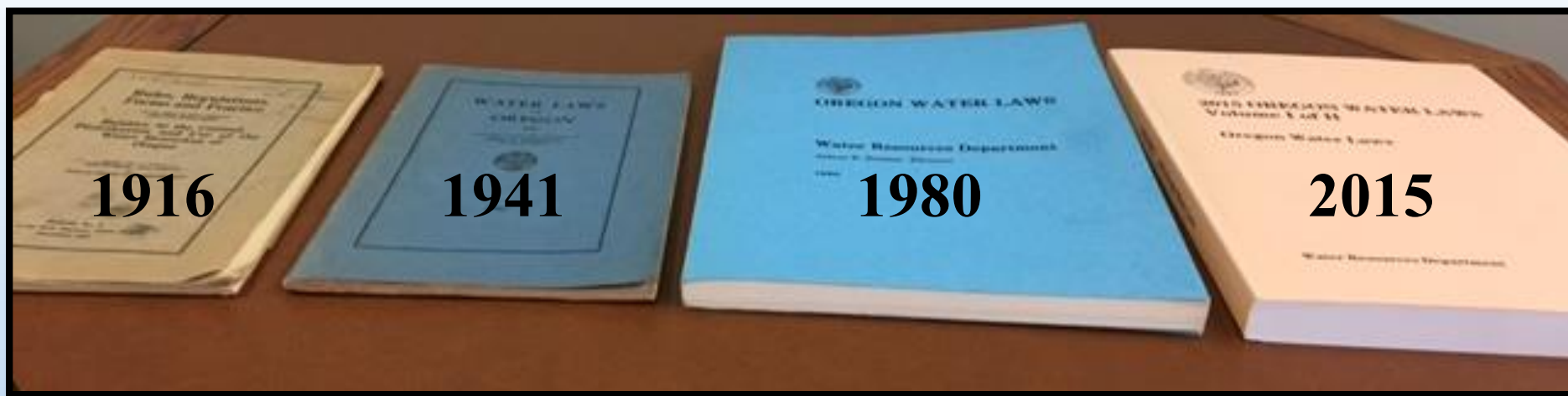
**1989:** Water Allocation Policy

**2009:** Integrated Water Resources Strategy

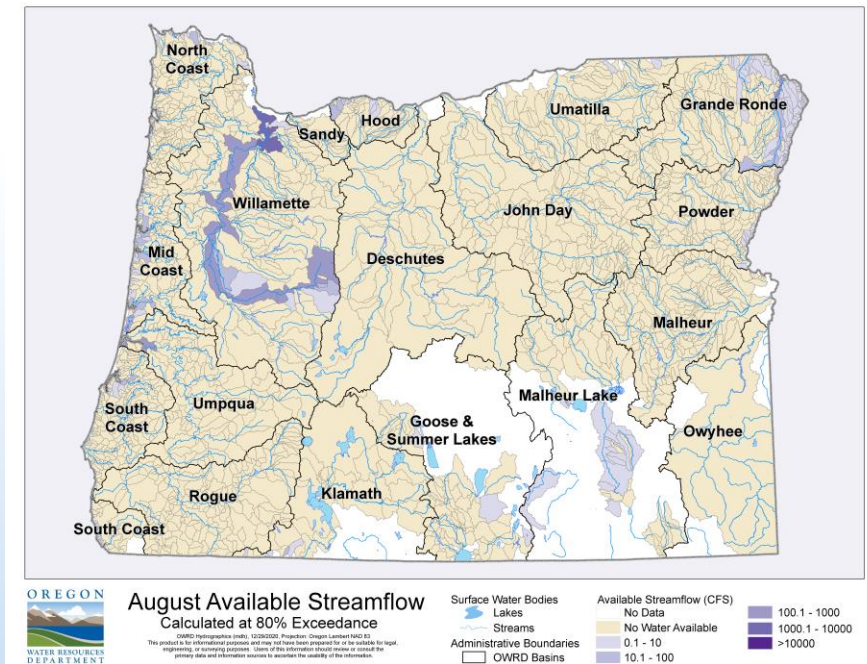
**2015:** Water Resources Development Program

**2019:** Dam Safety Modernization

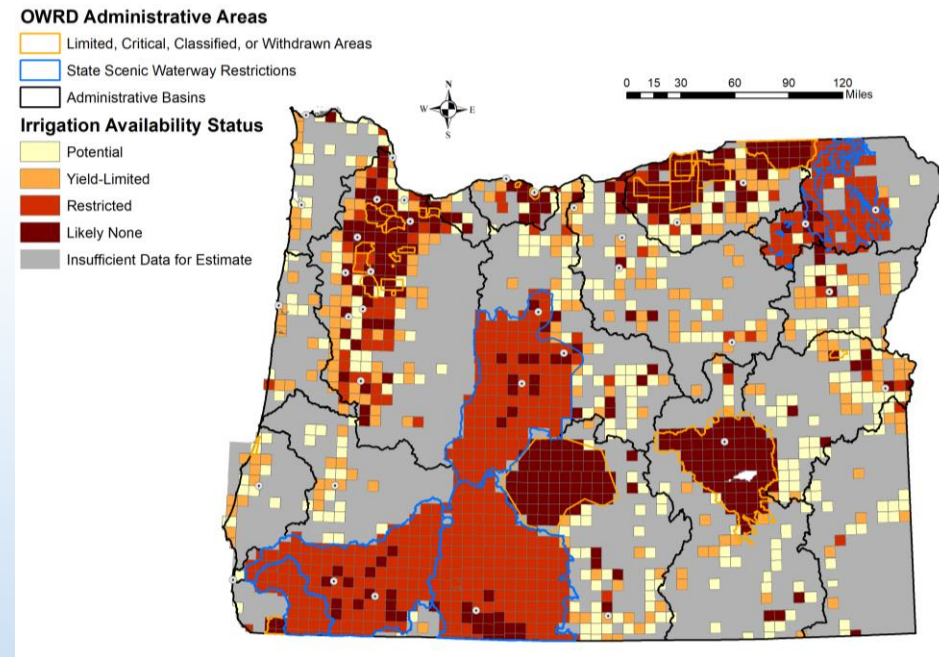
**2021:** Well Construction Modernization



## Surface water availability for allocation in August



## Estimated groundwater availability for irrigation



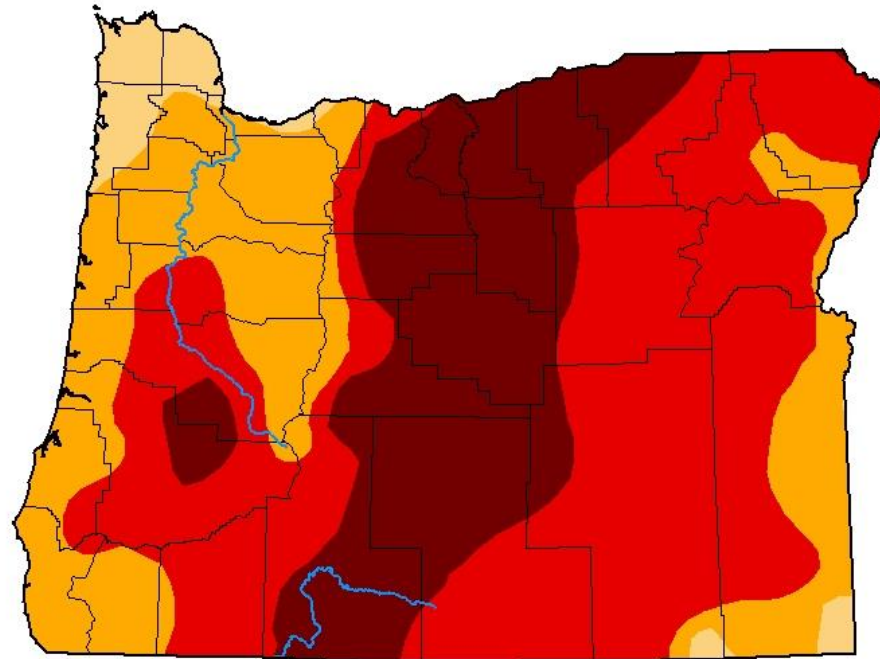


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# Drought – Exacerbates Challenges

## U.S. Drought Monitor Oregon

September 28, 2021  
(Released Thursday, Sep. 30, 2021)  
Valid 8 a.m. EDT



***Intensity:***

-  None
-  D0 Abnormally Dry
-  D1 Moderate Drought
-  D2 Severe Drought
-  D3 Extreme Drought
-  D4 Exceptional Drought

*The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>*

***Author:***

Brian Fuchs  
National Drought Mitigation Center

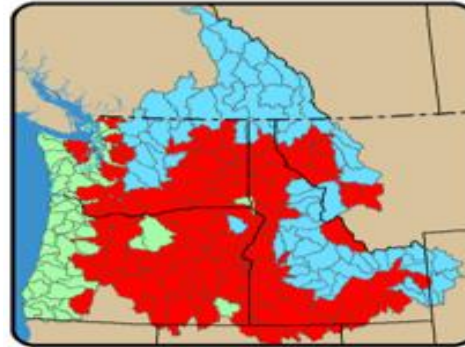


[droughtmonitor.unl.edu](https://droughtmonitor.unl.edu)

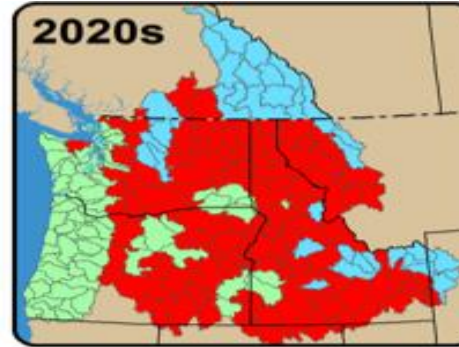


# Climate and Loss of Snowpack

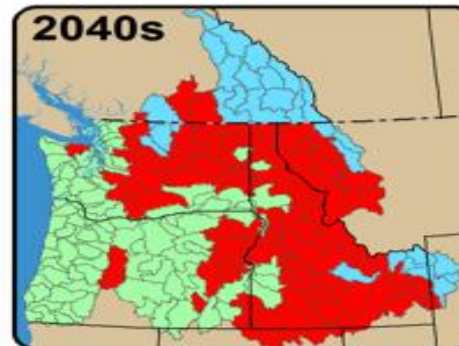
**Historical**



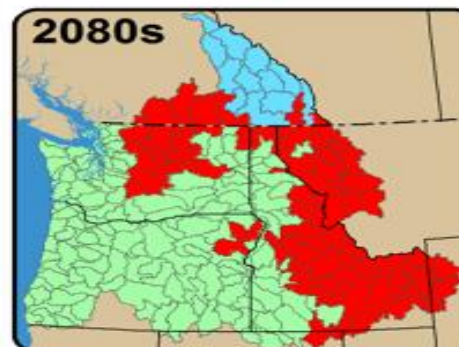
**2020s**



**2040s**



**2080s**

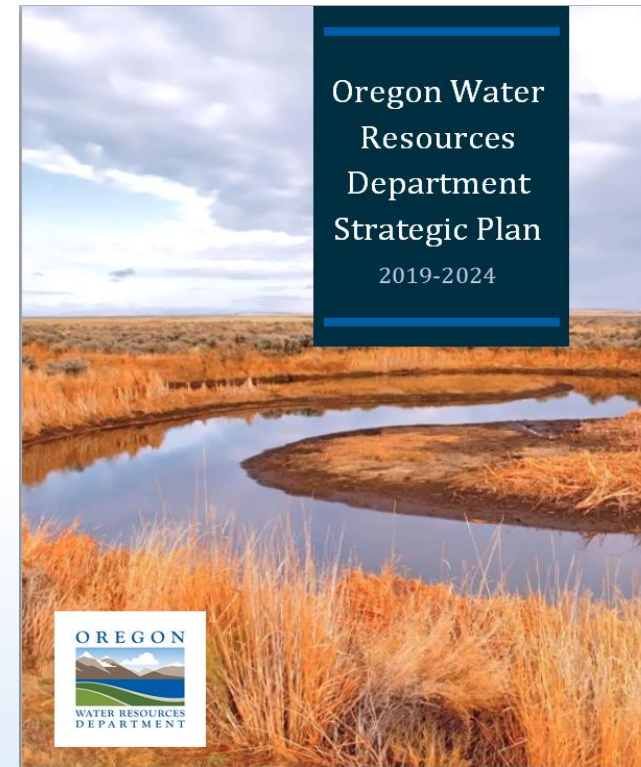
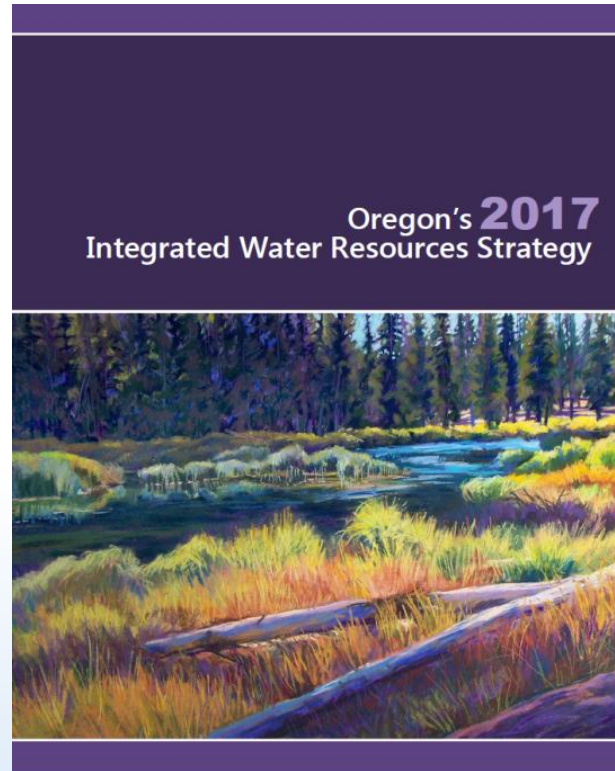


**Ratio of Peak Snow  
Water Equivalent to  
October to March  
Precipitation**

-  < 0.1  
Rain dominant
-  0.1 - 0.4  
Mixed rain-snow
-  > 0.4  
Snow dominant

Hamlet et al. 2013, as cited in Dalton, M.M., P.W. Mote, and A.K. Snover [Eds.]. 2013. *Climate Change in the Northwest: Implications for Our Landscapes, Waters, and Communities*. Washington, DC: Island Press.

# Preparing for our Water Future

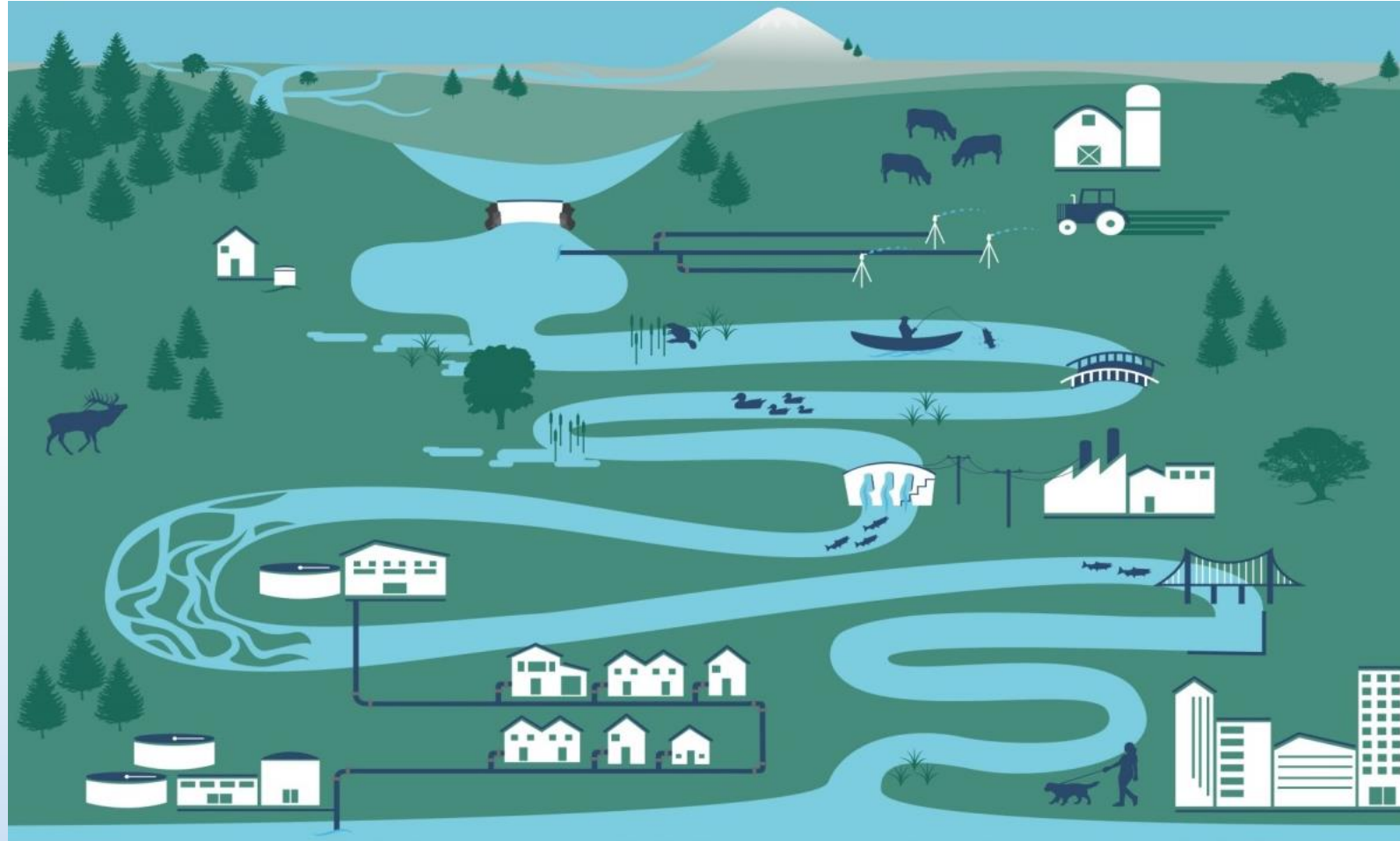


***Water law is deeply rooted in Oregonians' livelihoods, cultures, and well-being. The importance of water in our lives is unquestionable. Yet our current and future challenges require that we modernize our current systems and stretch ourselves to innovate.***



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# Need to Invest in Water: Water Vision





- **HB 2145** - Well Construction Modernization
- **SB 130** - Irrigation District Temporary Transfers
- **HB 2244** - Automatic Stays
- **HB 3103** - Transfers of Stored Water
  - Character of use
- **HB 2298** - Environmental Restoration Weirs



# \$538 Million Investment in Water

- **\$282.2 million:** Improvements to drinking water, wastewater, and stormwater infrastructure; increased safety and resiliency
- **\$135.7 million:** Public works funds and financial assistance to repair and replace water infrastructure
- **\$86.4 million:** Regional and basin-specific and water supply projects
- **\$11.2 million:** Data collection and technology modernization
- **\$17.7 million:** Water quality improvements
- **\$5 million:** Oregon's 100-Year Water Vision, equitable water access, and state, local, and regional water planning

## Data

- HB 2018
  - Groundwater budgets and basin studies
  - Statewide consumptive water use and evaporation from all major reservoirs
  - Expansion of groundwater level monitoring network
- Surface and groundwater data collection equipment
- Report on water use measurement



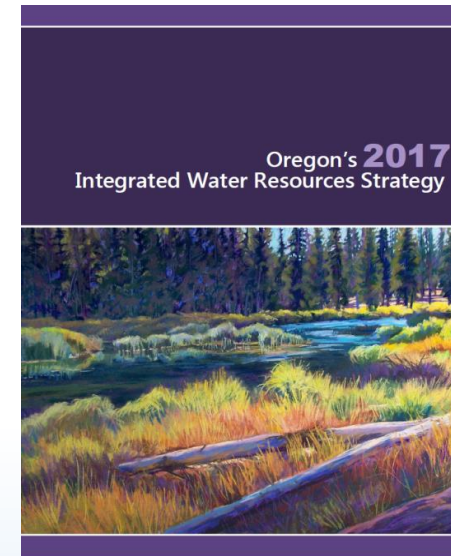
## Data

- Business case for water
- Dam safety flood methodology, inundation and dam analyses



## Policy Work

- Complex water issues including Willamette and Deschutes Basins
- 2022 IWRS update
- HB 3103: Workgroup on transfers of stored water
- Regional water planning workgroup
- Sustainable funding model for fee-based programs workgroup



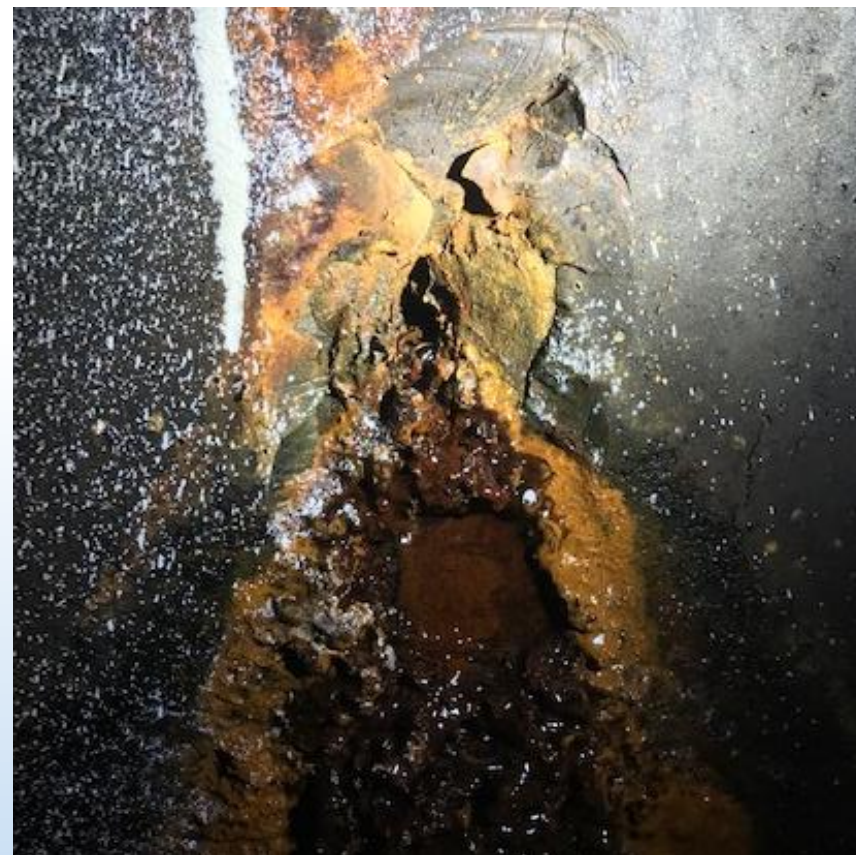
## Grants and Funding

- Grant program for water well repair, replacement and abandonment – HB 2145
- Grant program for Harney water well remediation - HB 3092
- Harney CREP program
- Water project support for community engagement – HB 3293



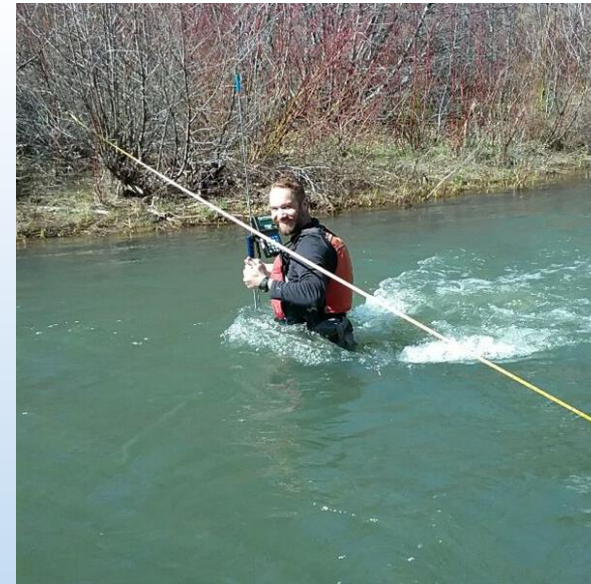
## Grants and Funding

- Equitable water access and indigenous water resiliency
- Water infrastructure projects and fish passage upgrades
- Place-based planning
- Water measurement
- Columbia River - Umatilla Solutions Task Force
- Water projects grants and loans and feasibility studies



# Budget and Legislation

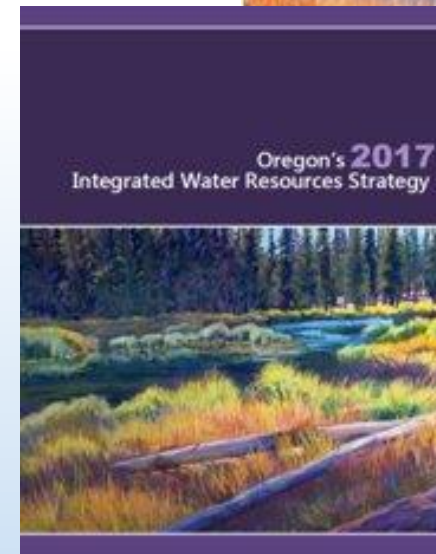
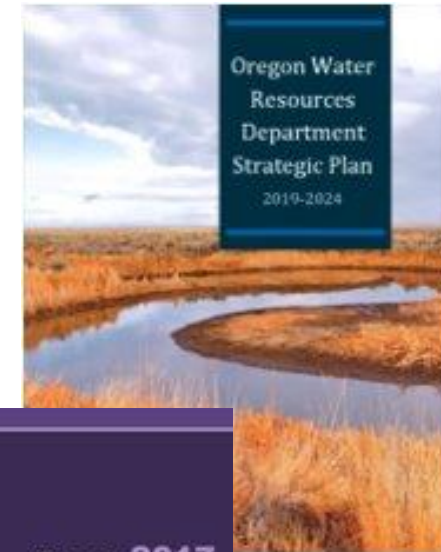
- Funding for legal expenses and protest backlog
- Maintaining water right and dam safety services – HB 2142
- Modernization of IT systems and tools
- Hydroelectric annual fees – HB 2143
- Timely water management and distribution





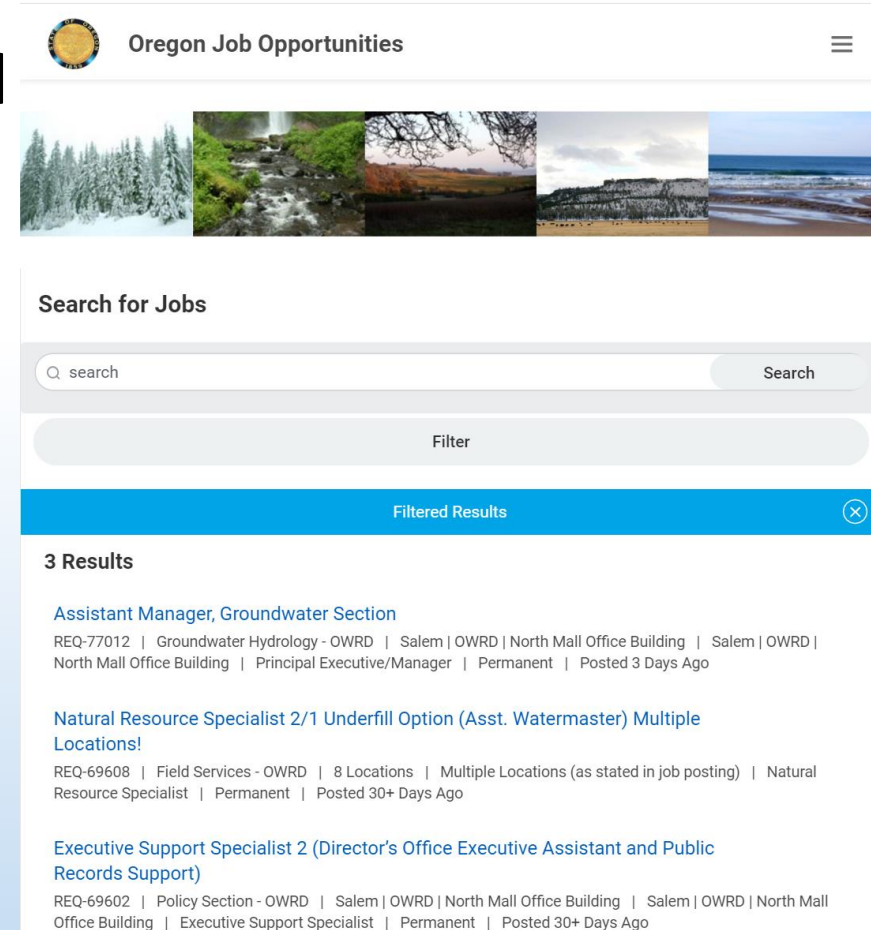
# Changing Currents!

- Not business as usual
- Significant investment and significant new workloads
- Refocus on implementing Strategic Plan and IWRS, looking at internal functions
  - Maximize existing staff capacity while recruiting



## Positions

- Between existing vacancies and new positions, 70+ positions to fill
- 2019-2021 required pandemic budget reduction vacancies
- Going to be a process: if internal staff move into new positions, creates a "vacancy"
- Takes time to: interview, hire, train



Oregon Job Opportunities

Search for Jobs

Q search Search

Filter

Filtered Results

3 Results

[Assistant Manager, Groundwater Section](#)  
REQ-77012 | Groundwater Hydrology - OWRD | Salem | OWRD | North Mall Office Building | Salem | OWRD | North Mall Office Building | Principal Executive/Manager | Permanent | Posted 3 Days Ago

[Natural Resource Specialist 2/1 Underfill Option \(Asst. Watermaster\) Multiple Locations!](#)  
REQ-69608 | Field Services - OWRD | 8 Locations | Multiple Locations (as stated in job posting) | Natural Resource Specialist | Permanent | Posted 30+ Days Ago

[Executive Support Specialist 2 \(Director's Office Executive Assistant and Public Records Support\)](#)  
REQ-69602 | Policy Section - OWRD | Salem | OWRD | North Mall Office Building | Salem | OWRD | North Mall Office Building | Executive Support Specialist | Permanent | Posted 30+ Days Ago

# Post-Session Implementation

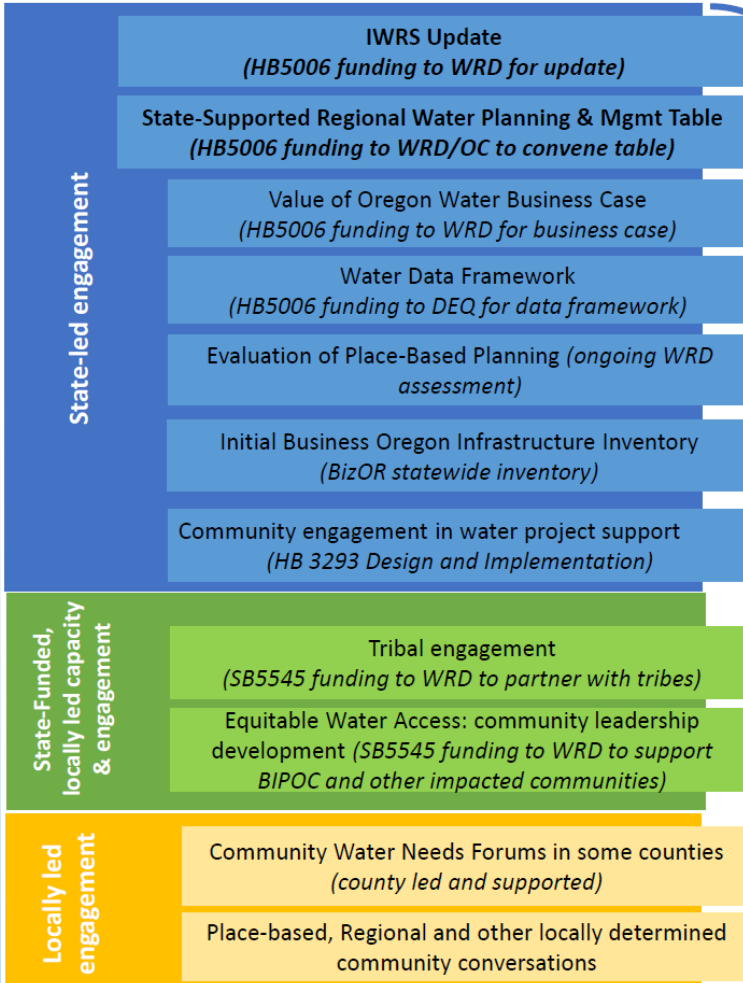


## Projects

- Over 40 new tasks from the 2021 legislative session
- Workgroups, new funding programs, implementing new legislation and associated rulemakings
- Must recruit to work on many of the projects
- Doing the best we can to get projects started

# Water Conversations Framework

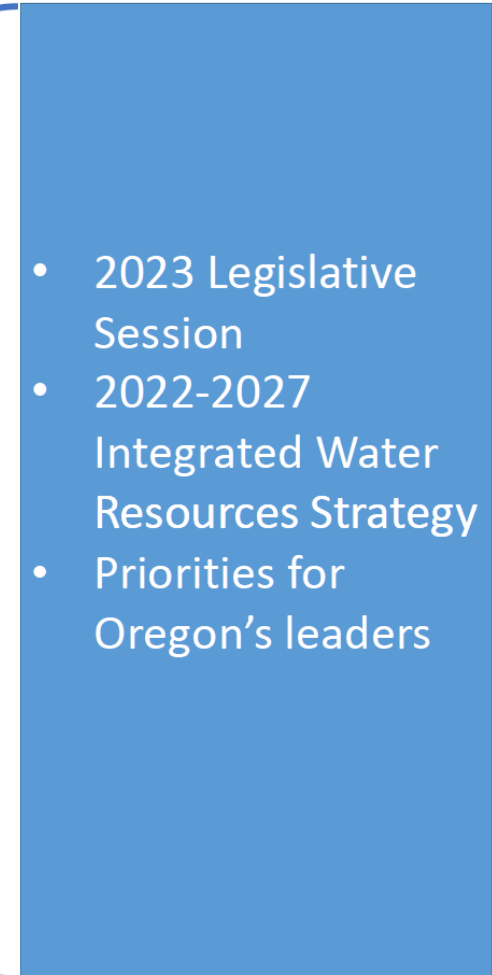
**These inter-related engagement and information-gathering processes...**



**...support these objectives...**



**... and inform**



- **Division 10** - Update Division 10 - Designation of Critical Groundwater Areas - to conform to statute (ORS 537.730 to 537.742)
- **Division 51** - Repeal fee provisions for hydroelectric projects to align with HB 2143 (2021)
- **Division 54** - Establish standards and procedures for conversions of hydroelectric water rights to instream water rights pursuant to ORS 543A.305
- **Division 77** - Clarify application requirements and review processes for leases and transfers of existing water rights instream, clarify transfers of stored water instream, improve efficiency of Department review of applications, and implement statutory changes.

- **Division 190** - Implements changes to exempt use well fee and map requirements pursuant to HB 2145 (2021).
- **Division 215** - Reinstate erroneously repealed section (prior 690-215-0200) related to measuring tube requirements in three areas
- **Division 380** - Updates rules to reflect HB 3103 (2021); changes allowing transfers to modify the character of use of stored water certificates
- **Short List** - Other rulemakings will begin next year

## Water Resources Department

### Chapter 690

^ Division 1 - RULEMAKING; ATTORNEY GENERAL'S MODEL RULES

^ Division 2 - PROTESTS AND CONTESTED CASES

^ Division 3 - PUBLIC RECORDS ACCESS AND REPRODUCTION

^ Division 4 - PROCEDURAL RULES FOR MEDIATION COMMUNICATIONS

^ Division 5 - COMPLIANCE WITH STATEWIDE PLANNING GOALS, COMPATIBILITY WITH COMPREHENSIVE PLANS, AND COORDINATION ON LAND USE MATTERS

^ Division 8 - STATUTORY GROUND WATER TERMS

^ Division 9 - GROUND WATER INTERFERENCE WITH SURFACE WATER

^ Division 10 - APPROPRIATION AND USE OF GROUND WATER

^ Division 12 - OUT-OF-BASIN DIVERSION

^ Division 13 - PETITION TO CHANGE DEPARTMENT RECORDS WITHIN WATER DISTRICTS

^ Division 14 - CERTIFIED WATER RIGHT EXAMINERS

^ Division 17 - CANCELLATION OF PERFECTED WATER RIGHTS

# Closing Thoughts

- Excited about investments in the Department and water
- Important water conversations coming up in the coming year
- Work will take several biennia to implement and to demonstrate success
- Near-term progress will be slow due to need to staff up
- Committed to providing updates on progress
- Look forward to continuing this work and building momentum around investing in Oregon's water future