

***Willamette River Water Coalition
Approved Board Meeting Minutes
Wednesday, August 3, 2011***

WRWC Board Members or Alternates present:

Marilyn McWilliams – WRWC Board Member, Tualatin Valley Water District Board of Commissioners
Marland Henderson – WRWC Board Member, Tigard City Council
Ed Truax – WRWC Board Member, Tualatin City Council

WRWC Member Staff present:

Craig Sheldon – City of Sherwood
David Janusz – City of Sherwood
Todd Heidgerken – Tualatin Valley Water District
Aaron Beattie – City of Tigard, Utility Division Manger
Kaaren Hofmann – City of Tualatin, City Engineer

WRWC Staff present:

Kelly Ross – Western Advocates, Inc.

Guests & Members of the Public present:

Maggie Kean
John van Staveren

I. Call to Order and Election of Officers

Chair McWilliams called the meeting to order at 5:30 pm at the Tigard Public Works Building, 8777 SW Burnham St., Tigard, Oregon, and asked for nominations for the position of Vice-Chair.

Ed Truax was nominated by Henderson, seconded by McWilliams, and approved unanimously via a voice vote of the board.

II. Review and Approval of Minutes

The board reviewed the minutes from the May 25, 2011 board meeting.

Motion by Henderson, seconded by McWilliams, to approve the minutes as distributed. The motion was approved unanimously via a voice vote of the board.

III. Update on Application for Easement on Metro Property

Kelly Ross reminded the Board of their decision at the May 25th meeting authorizing WRWC staff to move ahead with an easement application to Metro and secure consulting assistance, and reported that in his investigation of possible consultants there had been repeated recommendations for Pacific Habitat Services and its president John van Staveren. Ross introduced van Staveren and asked him to summarize his background and proposal for completing the easement application process.

Van Staveren gave a brief description of Pacific Habitat Services, said it has been in business since 1993, has 14 employees, and is based in Wilsonville. He has done projects for Metro regarding Smith and Bybee Lakes, and knows the staff members associated with Graham Oaks Natural Area. Proposal is structured with a first step of van Staveren getting together with WRWC and MSA representatives to discuss the pipeline that could eventually go through Graham Oaks; need to approach the application from a very scientific standpoint to determine design and construction requirements. The next step will be to sit down with Metro staff in an attempt to obtain their support for a set of requirements.

Chair McWilliams asked what the timeframe for construction is likely to be and whether Metro might ask for immediate construction. Van Staveren responded that he didn't think they would ask for immediate construction, but WRWC would probably have to pay for removal and replanting of trees currently located within the easement route before they grow larger.

Ross asked van Staveren whether he anticipates opposition to the application from the City of Wilsonville. Van Staveren responded that if we get Metro on board with the application, he wouldn't expect the City to oppose it.

Heidgerken reminded everyone that an easement would also be needed for an area on each side of the Tualatin River and wondered if this should be in a separate application or jointly in the same application as Graham Oaks. Van Steveren said that it would probably make sense to include them both in the same application.

Vice-Chair Truax commented that WRWC has been thinking about having a pipeline through this area longer than Metro has owned it as a natural area. Heidgerken mentioned that WRWC had actually tried to buy the property prior to Metro's acquisition.

There were no questions or concerns raised by the WRWC Board and van Steveren said that he would begin immediately to schedule a discussion with Metro staff.

IV. WRWC Financial Update

Kelly Ross summarized the financial report for the period ending June 30, commenting that the end of the fiscal year ended with expenses \$35,651 under what had been budgeted. Dues invoices have been sent to all members.

V. Update on Water Right Permit Conditions Compliance

Craig Sheldon explained that a condition of Sherwood's permit to use the Willamette River is informing water customers that: the Willamette River is home to fish species listed as threatened or endangered by federal and state agencies, these agencies have established flow targets on the Willamette River for maintaining these fish species, and water customers can help to conserve water. When fish flow targets aren't met for fifteen consecutive days, the City will notify customers and request increased voluntary water conservation.

David Janusz distributed a table showing fish flow targets and allowable water use. Janusz explained that the Allowable Water Use Column shows the amount of the 23.2 cfs that is allowed to be used. If the Percent Target Flow Missed is negative, then use of the full 23.2 cfs is allowed and the Allowable

Water Use value should be ignored. Only when the Targets are missed would we see a value in this column that is less than 23.2 and restrictions could take place. From April-June, the cap on reduction is 20 percent. In regard to the Annual water audit and the testing of the 2” and larger meters, Janusz explained that these are conditions of Sherwood’s WMCP consistent with the settlement agreement in order to gain access to water under an extension of Permit S-49240.

Vice-Chair Truax asked what five million gallons per day translated into in terms of cubic feet per second. Heidgerken said that it is approximately 7.72 CFS.

VI. *Update on 2011 Oregon Legislature – Todd Heidgerken*

Heidgerken reported that the 2011 Legislature was primarily focused on fiscal matters—discussion of water issues was fairly limited. The Drinking Water Program (DWP) has the most significant budgetary change impacting both its amount of funding and funding source. Ultimately, the Oregon Health Authority (OHA) budget (the agency that houses the DWP) was approved with the elimination of all (\$4.2 million) general fund dollars and replaced with \$3 million of fees. The fee revenue will be generated from both new and increased fees associated with the OHA medical marijuana card program.

As previously noted, the OHA fees generated don’t make up the entire shortfall resulting from the elimination of general fund dollars from the DWP. As a result, meetings with the OHA/DWP staff have already been initiated to discuss long-term funding strategies for the DWP. The OHA/DWP staff has characterized the fee dollars generated from the OHA medical marijuana card program as a “bridging” or “temporary” funding source yet the legislature’s long-term intent for this type of funding is not clear. Regardless, the DWP will also want to discuss with water utilities ways to secure additional funding during the 2012 Legislative Session to help restore the funding shortfall.

Legislation related to the Willamette River reservoir system (HB 3165A) failed to gain approval this session. HB 3165A would have created a process whereby the Army Corps of Engineers (ACOE) and Bureau of Reclamation (BOR) would be required to engage stakeholders to develop an allocation plan for water stored in the Willamette Basin Reservoirs Project prior to changing the character of use of the stored water. Water utilities will be regrouping in the interim to determine how to continue to work with the ACOE, BOR and Oregon Water Resources Department (WRD) on a cooperative approach.

Funding for the WRD ended up being approved with only minor cuts to the program. An additional \$487,000 was directed to the WRD during the final days of the legislative session that helped to restore two additional positions and pay for a groundwater study. The WRD also received \$15 million in bonding authority for Water Development Grants however that money is only available to be used in the Umatilla Basin.

VII. *Website*

Maggie Kean reviewed the latest website changes and traffic analysis. Chair McWilliams encouraged everyone to look at the Willamette Riverkeepers website and said the organization was doing some interesting things.

VIII. Member Updates/Announcements

Craig Sheldon reported that Sherwood is finishing up its interim water agreement with Wilsonville and is hoping to have a final version to the City Council in September.

Vice-Chair Truax reported that Tualatin has finished injecting the ASR well, will be allowing it to rest for a month, then will re-test the water for algae growth.

Board member Henderson reported that Tigard is still having many issues in connecting to the Clackamas River; hoping that problems are resolved by the time that the City's contract with City of Portland ends in 2016.

Chair McWilliams reported that Tualatin Valley Water District directors and staff attended the AWWA conference in Washington, D.C., in June, and that the program was very good. Included speakers on the Chilean mine rescue and water supply issues in Japan; the greatest concern of attendees was federal funding for infrastructure.

IX. Next Meeting

The next WRWC Board meeting will be on November 2nd at the Tigard Public Works Building.

X. Adjournment

Meeting adjourned at 6:50 p.m.