

***Willamette River Water Coalition
Board Meeting Minutes
Wednesday, June 18, 2007***

WRWC Board Members or Alternates present:

Tom Woodruff – WRWC Vice-Chair, Tigard City Council (via phone)
Ed Truax – Tualatin City Council (via phone)
Richard Burke – WRWC Chair, TVWD Board of Commissioners (via phone)

WRWC Member Staff present:

Brenda Bateman – Tualatin Valley Water District
Todd Heidgerken – Tualatin Valley Water District
Dennis Koellermeier – City of Tigard (via phone)
Craig Sheldon – City of Sherwood
Mike McKillip – City of Tualatin (via phone)

WRWC Staff present:

Amanda Rich - Western Advocates Incorporated

Members of the Public present:

Kathy Newcomb – Citizens for Safe Water
Dolores Hurtado

I. Call to Order

Chair Richard Burke called the board of the Willamette River Water Coalition to order at 5:15 pm on Monday, May 30, 2007 at the Sherwood City Hall City Council Chambers at 22560 SW Pine Street, Sherwood, OR 97140.

II. Review of the Willamette River Water Right Settlement Agreement

Amanda Rich explained that the board was meeting to review and possibly approve the settlement agreement reached between WaterWatch, Water Resources Department and the WRWC regarding the permit extension for the Willamette River water right. The water right is now held in the name of the WRWC, so the board needs to approve the settlement agreement for it to be final and the agreement will be signed by the Chair of the WRWC.

Todd Heidgerken reviewed the settlement agreement and the accompanying proposed final order. (See attached.) The agreement provides that WRWC will drop its original proposed final order that was issued under the old rules, WaterWatch will drop its protest against the new proposed final order and the WRWC will follow the process outlined in the settlement agreement as they develop the Willamette right. The process involves submitting water management and conservation plans (WMCPs) that include a public information plan to inform water customers of the need to conserve water to protect fish flows during times of low river flow.

All WRWC members will be required to submit a WMCP within three years of the date of the final order, unless required to submit one sooner for another water right. Members will be allowed to use water under their WMCP after a final order for the plan has been issued and a sixty day waiting period has passed. The sixty day period is a new provision requested by WaterWatch so that they have the opportunity to review WMCPs before a final order is issued and water is used.

There are two triggers for the public education message required by the settlement agreement: annually on April 1 and after April 1 any time minimum fish flow needs at the Salem gage are not met for 15 consecutive days. The settlement agreement includes a table outlining the minimum fish flows.

Todd recommended that the board authorize the Chair of WRWC to sign the agreement.

Tom Woodruff asked if there was anything in this agreement that we should watch out for. Todd said that members should pay attention so submitting a timely water management and conservation plan.

Mike McKillip asked if a member would have to submit a plan in the next three years even if they weren't planning to use the water in the next three years. Todd said yes. Mike then asked if members would be able to use most of the information they submit for the Regional Water Consortium plan. Todd said yes.

Mike also asked if the new sixty day period was the same as the existing sixty day waiting period for final orders issued by WRD. Clark Balfour said that adding this sixty day period to the WMCP process makes it consistent with the process that is already in place for other types of final orders issued by WRD.

Ed Truax moved to authorize Richard Burke, WRWC Board Chair, to sign the settlement agreement. Tom Woodruff seconded the motion. There was no board discussion.

Chair Burke asked if there was any public comment. Kathy Newcomb asked what the difference was between the 20 year extension of time authorized under HB 3038 and the 40 year extension authorized under this settlement agreement. Clark Balfour explained that the 20 year time for extension under HB 3038 applies to new water right permits and does not apply to older permits that were in play before HB 3038 was passed.

The Board voted unanimously by roll call vote to approve the motion.

III. Next Meeting

The WRWC Board will meet on July 25, 2007.

IV. Adjournment

Ed Truax moved to adjourn. Tom Woodruff seconded. The motion was approved unanimously. Meeting adjourned at 5:47.