

OWRD SUGGESTED EDITS ON STRATEGIES
FOR DISCUSSION PURPOSES ONLY; DO NOT CIRCULATE

Slide 2: Section 4, Strategy 3

ORIGINAL LANGUAGE

Objective 3: To install accountable water measurement devices on all non-exempt groundwater points of diversion; To develop appropriate reporting procedures for metered non-exempt groundwater points of diversion

Strategy 3: Measure and report irrigation groundwater use to inform water management decisions and outcomes and provide accountability. These measures are intended to inform adaptive management of strategies but are not intended to replace or substitute for any regulatory requirements that OWRD may have or impose.

Recommended Actions:

- 3.1 In the GHVGAC, require real-time, accurate, OWRD-approved groundwater meters installed on all groundwater points of diversion, except for exempt uses, and report water use from each meter annually to OWRD. Meters should utilize digital data loggers (e.g., USB-compatible) to reduce reporting burden on water users and ensure consistency.
- 3.2. Create a system to promptly identify and promptly address broken, damaged or improperly calibrated meters. Create a process to consult with technical experts (including OpenET founders, OWRD, USGS) to determine whether OpenET could serve as a temporary substitute for broken, damaged, or improperly calibrated meters until they can be fixed to meet the desired purpose of the data and the limitations and appropriate uses of that data; utilize OpenET data in accordance
- 3.3 CBWP Collaborative distribute information on Oregon Water Measurement Cost Share Program (and other incentive and cost-share opportunities) to assist in uniform measurement.
- 3.4 CBWP Collaborative explore whether cost-share measures are available to assist in reporting and reporting technology
- 3.5 Ensure the water use information reported to OWRD is available to the certificate/permit-holder
- 3.6 Where possible within the GHVGAC, install self-reporting telemetry (e.g., smart meters) to automate reporting of water use to OWRD and certificate/permit-holder.
- 3.7 If it is confirmed by the appropriate technical agency experts that metering is impossible for water use from a specific well, convene a technical committee of technical agency experts and stakeholders (i.e. OpenET founders, OWRD, USGS, others). The technical committee will determine a process to achieve water use measurement either through requiring changes in plumbing or through other water use measurement (such as OpenET) that meets the purpose of the data; for any PODs determined by the committee to use a significant amount of water, require changes in plumbing and

installation of a meter. Sources of cost-share and incentive funding will be sought for cases requiring changes in plumbing.

- 3.8 CBWP Collaborative advocate for OWRD to interpret groundwater use data, report to the community and interested stakeholders, and utilize information in management actions

SUGGESTED EDITS

Flip-flop objective and strategy.

Objective: Measure and report irrigation groundwater use to inform water management decisions and outcomes and provide accountability. These measures are intended to inform adaptive management of strategies but are not intended to replace or substitute for any regulatory requirements that OWRD may have or impose.

Strategy: To install accountable water measurement devices on all non-exempt groundwater points of diversion; To develop appropriate reporting procedures for metered non-exempt groundwater points of diversion

Recommended Actions:

- 3.1 In the GHVGAC, **require near-real-time**, accurate, OWRD-approved groundwater meters ~~could be~~ installed on.. (no edits on text after this)
 - 3.1a For all those areas where **near-real-time** meters will not be practical due to technological limitations, the department will be requested to provide a list of approved alternative meters/approaches that could be implemented.
- 3.2 Create a system **to maintain accurately calibrated meters**.
 - 3.2a For instance, the system could promptly identify and promptly address broken, damaged or improperly calibrated meters. **In this case, a process should be created** to consult with technical experts (including OpenET founders, OWRD, USGS) to determine whether OpenET could serve as a temporary substitute for broken, damaged, or improperly calibrated meters until they can be fixed to meet the desired purpose of the data and the limitations and appropriate uses of that data; utilize OpenET data in accordance
- 3.3 No suggested edits
- 3.4 CBWP Collaborative explore whether **other** cost-share measures are available to assist in reporting and reporting technology.
- 3.5 No suggested edits
- 3.6 No suggested edits
- 3.7 If it is confirmed by the appropriate technical agency experts that **metering data is unreliable accurate metering is technically infeasible impractical impossible** for **determining** water use... (no edits on text after this)
- 3.8 No suggested edits

Slide 3: Section 5, Strategy 1

ORIGINAL LANGUAGE

Objective 1: Work with OWRD to prioritize compliance to ensure all water is being used legally within accordance of permit and certificates and has accountability to OWRD and the public; Ask OWRD to demonstrate all water use is accounted for so we can implement other parts of the water plan

Strategy 1: Work with OWRD to enact improvements in its enforcements of water rights and well construction standards in a publicly transparent manner

Recommended Actions:

- 1.1 Ensure all permits conditions and water use limits are met
- 1.2 Ensure all water right data, including water use data as required, is up to date and publicly available
- 1.3 Ask Harney County to ask OWRD to enforce certificate conditions
- 1.4 Include a recommendation for enforcement in the integrated plan
- 1.5 Enforce well construction standards
- 1.6 Support OWRD in ensuring that all illegal water use ceases

SUGGESTED EDITS

Objective 1: Work with OWRD to prioritize compliance to ensure all water is being used legally within accordance of permit and certificates and has accountability to OWRD and the public; ~~Ask OWRD to demonstrate all water use is accounted for so we can implement other parts of the water plan~~

Recommended Actions:

- 1.1-1.5 No suggested edits
- 1.6 Support OWRD in ensuring that ~~all~~ illegal water use ceases
- 1.7 Request OWRD collect data on illegal water use and produce an annual report regarding progress/implementation of RA 1.6 and addressing illegal water use.
- ~~1.7 CBWP Collaborative advocate for adequate resources for the Harney Basin for the Department to carry out the actions listed above.~~

Slide 4: Section 5, Strategy 4

ORIGINAL LANGUAGE

Objective 4: Water is a public resource, managed by the State; The public will have a robust opportunity to weigh in on the Department's processes

Strategy 4: CBWP Collaborative work with OWRD to improve opportunities for public comments and to give meaningful consideration to the voice and comments of the general public regarding OWRD actions on groundwater permit matters and groundwater management

Recommended Actions:

- 4.1 Request that OWRD convene a working group (on a timeline that fits with the rule making process no later than July 2022) with members of the community and stakeholders to identify areas where public participation opportunities could be improved and methods to make those improvements. The working group should address issues included but not limited to the following:
 - Ensure public notice and opportunity for public engagement where the department reverses a decision
 - Ensure public engagement is representative of the water users in the basin and other stakeholders.
 - Provide information to the public on how to: navigate the public input process, provide effective input on agency decisions, and understand how comments are acknowledged and used.

SUGGESTED EDITS

Objective 4: No suggested edits

Strategy 4: No suggested edits

Recommended Actions:

- 4.1 Identify specific activities (regarding groundwater permitting and management) where collaborative members ~~feel~~ find public comment opportunity is lacking.
- 4.2 Develop information on public input opportunities for groundwater permitting and other matters and make it available locally
- 4.3 Request OWRD consider specific activities identified in RA 4.1 and form a statewide work group to improve public input processes. The Harney CBWP Collaborative has already identified the following areas that the statewide work group should address :
 - Ensure public notice and opportunity for public engagement where the department reverses a decision
 - Ensure public engagement is representative of the water users in the basin and other stakeholders.
 - Provide information to the public on how to: navigate the public input process, provide effective input on agency decisions, and understand how comments are acknowledged and used.

Slide 5: Section 5, Strategy 5

ORIGINAL LANGUAGE

Objective 5: To increase accountability and ensure that all water use occurs in compliance with a valid water right; To prevent the reactivation of water rights where five years of consecutive non-use has occurred

Strategy 5: Request that OWRD initiate cancellation of all expired permits and water rights that haven't been used in 5 years in the Harney Basin

Recommended Actions:

- 5.1 Request that OWRD collect information on groundwater use, initiate continuous cancellation process for expired permits and water rights that haven't been used in 5 years, and share information with the public
- 5.2 CBWP Collaborative request that OWRD systematically assess where non-use of groundwater rights is occurring and pursue timely cancellation of unused groundwater rights when five years of consecutive non-use has occurred

SUGGESTED EDITS

2/22/22: Comment from Steve P.: "This objective and strategy will need more work internally and fine-tuning before OWRD can support. There are certain nuances and details we would like to help include. It will take a bit longer"

3/8/22: At the special CC call, the group decided to wait for OWRD comments before finalizing this one. There will likely be a small group discussion on language with Ivan other OWRD staff members, and CC members before discussing further with the full CC

Strategy 5: ~~Request that~~ OWRD initiate cancellation of all ~~known~~ expired permits and water rights that haven't been ~~beneficially~~ used in 5 years in the Harney Basin ~~and develop a plan to systematically identify those permits that may be subject to forfeit.~~

Objective: No suggested edits

Recommended Actions:

- 5.1 Request that OWRD collect information on groundwater use, ~~initiate a process for~~ continuous cancellation process for expired permits and water rights that haven't been used in 5 years, and share information ~~on their findings~~ with the public
- 5.2 No suggested edits
- ~~5.3 CBWP Collaborative advocate for adequate resources for the Harney Basin for the Department to carry out the actions listed above.~~

Slide 5: *Tabled in December by Collab* Strategy 8 (This is not included in the list of strategies that the Collab has consensus on, but the idea of the strategy should be communicated in the GW plan somehow).

*3/8/22: ****CC decided to get rid of this strategy*****

ORIGINAL LANGUAGE

~~**Objective 8:** To have a legal path that allows irrigation water rights to be transferred or converted to municipalities, community wells that serve exempt water uses, and/or other future potable or commercial uses.~~

~~**Strategy 8:** Work with the OWRD during the RAC to ensure the opportunities outlined in Objective 8 can be established in the basin rules. (Comment from Steve P.: work with OWRD during the 512 rule-making (which includes the RAC, but there is more to it than just the RAC))~~

~~**Recommended Actions:**~~

- ~~• 8.1 CBWP Collaborative be proactive in anticipating additional commercial or potable uses of water.~~

SUGGESTED EDITS

~~**Objective 8:** To have a legal path that allows irrigation water rights to be transferred or converted to municipalities, community wells that serve exempt water uses, and/or other future potable or commercial uses; To ensure that any updates to Division 512 rules do not restrict these opportunities.~~

~~**Strategy 8:** Work with the OWRD during the RAC to ensure the opportunities outlined in Objective 8 can be established in the basin's Division 512 rules.~~

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~~**Recommended Actions:-**~~

- ~~• 8.1 No suggested edits~~