

Oregon Water Resources Congress  
**WATERWORKS**

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**The mission of the Oregon Water Resources Congress is to promote the protection and use of water rights and the wise stewardship of water resources.**

**ISSUE #17**

**SPRING 2006**

### **TASK FORCE REPORTS**

**Several OWRC members graciously serve on advisory committees for state agencies representing the interest of our member districts. Starting in this issue we are presenting a short description of the different committees' functions. We will try to include updates from them about their efforts on our members' behalf in future newsletters and will add reports as people are appointed to other committees and task forces.**

#### **Fish Screen Task Force (FSTF)**

The Fish Screen Task Force (FSTF) is a seven member advisory body appointed by the Oregon Fish and Wildlife Commission. The FSTF meets several times yearly and advises ODF&W on Fish Screening policies and issues. Agricultural, fisheries and public interests are represented on the Task Force.

Screening projects cost share is allowed for 60% of project costs not to exceed a \$75,000 cap, with the possibility of a higher cap as determined by ODF&W with FSTF recommendation.

These grant funds have allowed ODF&W to address much needed fish screening and passage problems throughout the State, this is a voluntary program for landowners and water users that want to prevent the entrainment of Salmonids into their water diversions.

*Carol Bradford, manager of the Medford Irrigation District, serves on the FSTF representing irrigation interests and provided this summary. Look for updates on the FSTF activities in future newsletters*

#### **FRIMA TECHNICAL ADVISORY COMMITTEE**

Dave Newton serves on the FRIMA technical advisory committee and has been asked to chair the last two sessions. The committee reviews proposals for fish passage and fish screening projects for eligibility to receive funding aid to construct the projects. Priority is given to irrigation district diversions. Other priorities apply to threatened and endangered fish species. Availability of funds has dropped to about \$360,000 this year for Oregon. Projects reviewed in April requested around \$860,000 in FRIMA funds, making it tough to evaluate and narrow the field of proposals to fit the available funds. Hopefully, the future will bring increased funds to help districts respond to passage and screening needs.

*David Newton, owner of Newton Consultants serves on the FRIMA technical advisory committee representing irrigation interests and provided this summary. Look for updates on their activities in future newsletters*

## Fish Passage Task Force

Two members of the Oregon Water Resources Congress serve on the Fish Passage Task Force which advises the Oregon Department of Fish and Wildlife and the Fish and Wildlife Commission on matters related to fish passage. These matters include, but are not limited to, rulemaking to implement statutes, funding and special conditions for passage projects, and exemptions and waivers. The Task Force reports semi-annually to the Legislature and publicly meets about four times per year. Nine Task Force members are chosen by the ODFW Director to represent one of three groups. Task Force member's terms last for four years, except that the initial appointments of each interest group were to a three-year, four-year or five-year term in order to establish a staggered system of new appointments for each interest group's members. Each Task Force member is eligible for two terms. Current Task Force members and their terms are: Larry Trosi from the Santiam Water Control District, Bob Beal from Central Oregon Irrigation District and Rob Schab of the Coos Bay North Bend Water District. All three represent water users on the Task Force. Representing Fishing and Conservation interests are: John Borden of West Linn, Bill Lovelace of Baker City and Steve Mason of Ashland. Representing the "Public at Large" are Sharon Sawdey from Portland, Richard Craven of Tigard and Mark Mouser from Clackamas. Tom Stahl of the ODF&W Fish Division is the coordinator for the program.

Since August 2001, the owner or operator of an artificial obstruction located in the waters in which native migratory fish are currently or were historically present must address fish passage prior to installation, major replacements or abandonment of artificial obstructions in waterways. Addressing fish passage requirements entails the owner/operator obtaining from ODF&W 1. approval for a passage plan when passage will be provided 2. a waiver from providing passage 3. an exemption from providing passage.

One of the important issues the Task Force will be addressing in upcoming meetings deals with the development of a fish passage mitigation banking system. Input from OWRC members to our two members who serve on the task force would be helpful. Some of the issues/opportunities are; should the ODF&W administer a fish passage mitigation bank. or should ODF&W simply provide a list of fish passage projects throughout the state that a individual/corporation may mitigate for if a project they are doing requires mitigation. Larry Trosi or Bob Beal also have the ability, by serving on the task force to provide additional input to ODF&W regarding the approval or denial of fish passage waivers or exemptions granted throughout the state. For more information on Fish Passage you may contact Anita at OWRC, Bob or Larry.

*Larry Trosi, manager of the Santiam Water Control District, serves on the FPTF representing irrigation interests and provided this summary. Look for updates on their activities in future newsletters*

### New Members for 2006

OWRC is proud to welcome the following new members this year:

**Daniel Henninger**, Brown and Caldwell

**Steve Brawley**, Bureau of Reclamation – Boise

**Darlene Kessler**, Bureau of Reclamation – Bend

**Mark Reinecke & Neil Bryant**, Bryant, Lovlien & Jarvis

**Jeff Barry, Larry Eaton, Dave Livesay & Walter Burt**, Groundwater Solutions, Inc.

**Dawn Nilson, Rene Eyerly, Michelle Michaud & Rick Malin**, Parametrix

Name Change:

Intralox has now become Hydrolox

Hurley, Lynch & Re are now Hurley Re & Gruetter, PC

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## EXECUTIVE COMMITTEE

Jim Pendleton, President  
Larry Troisi, Vice-President  
Chuck Wilcox, Treasurer  
Jay Chamberlin, Secretary  
Bev Bridgewater, Past President  
Elmer McDaniels, At Large  
Doug MacDougal, At Large

## REGIONAL DIRECTORS

Region 1 Joe Rutledge  
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Dave Howard  
Region 3 Dave Solem  
Jason Chapman  
Region 4 Bob Ringerling  
Shawn Gerdes  
Region 5 John Buckley  
Mike Richardson  
Region 6 Ray Kopacz  
Bill Porfily  
Region 7 Vacant  
Region 8 Scott Ward  
Steve Iida

## Affiliates

Tom Calabrese  
David Filippi  
Doug McDougal  
Mark Wharry

## At Large

Elmer McDaniels  
Steve Shropshire  
Brian Nakamura  
Terry Buchholz

## Staff

Executive Director  
Anita Winkler  
Office Manager/Editor  
Carol Zielinski



## A Word from the President

Rain, snow, more rain, it seems like there is no standard year for an irrigation district. It is truly feast or famine. The increased snow pack and precipitation this year should be a great help to the districts this year.

I was very happy with the way the OWRC Annual Conference was planned and carried out this year. Kudos to Anita, her staff and the Annual Conference Committee for their hard work.

I was also impressed with the OWRC Board Retreat held at the coast on January 19<sup>th</sup>. I believe that this session helped the Board in determining priorities and direction for the organization for the future.

Congratulations to Doug, Dave, Mark and Terry for being elected as affiliate directors and Elmer, Brian, Steve, Tom C. as at large directors for the organization.

The Executive Committee, Board and Committee Members commit an extensive amount of time to the organization and I would like them to know that we appreciate them very much.

Jim Pendleton, President

## NWRA REPORT FROM STEVE JOHNSON, MANAGER OF CENTRAL OREGON ID

The NWRA Conference in Washington, DC was very interesting and informative on a wide variety of issues that relate to us in Oregon and with water issues in the West. While a lot of attention was paid to aging infrastructure and fiscal budget concerns, much of the discussion centered around Endangered Species Act reform progress (or lack thereof), the need to give good input to Reclamation on the National Academy of Science report for suggested changes and reform (there is that word again), and being sure everyone lets their congressional delegation know that Water 2025 is a great program. These issues are important to all the regions in NWRA and it is good to see consensus develop and lay out legislative plans that will benefit or effect us all.

The ability to discuss, question and meet Senate and House Committee staffers involved with the issues is very worthwhile and informative. The insight they provide into the complicated processes with legislation is invaluable. Last but not least, I don't think I mentioned the free drinks and food at the joint Family Farm Alliance and NWRA reception. Commissioner Keys gave a great farewell speech and demonstrated again why we will all miss his leadership.

## **The Oregon Lower Columbia and Willamette Salmon and Steelhead Recovery Planning Stakeholder Teams**

Recovery plans are being developed to provide (1) descriptions of site-specific management actions necessary to achieve the plan's goal for the conservation and survival of the species; (2) objective, measurable criteria which, when met, would result in a determination that the species should be removed from the list; and (3) estimates of the time required and cost to carry out the measures needed to achieve the plan's goal and to achieve intermediate steps toward that goal.

Recovery plans are guidance documents, not regulatory documents. No agency or entity is required by the ESA to implement the recovery strategy or specific actions in a recovery plan.

Thus these plans are being developed to meet state, tribal, and local needs as well as ESA needs, and stakeholder involvement allows local control of the actions being identified for salmon recovery. In addition, NOAA Fisheries Service hopes to use recovery plans to provide greater certainty and regulatory relief under the ESA for entities implementing recovery actions.

The plan will address the Oregon portions of the following four listed species: Lower Columbia River Chinook salmon, Columbia River chum salmon, Lower Columbia River coho salmon, and Lower Columbia River steelhead

ODFW and NOAA propose to complete the plan by December 2006, publish a Federal Register notice early in 2007, solicit public comments, revise the plan as needed, and finalize the plan by mid-2007.

The Stakeholder Teams will

- Identify broad sense recovery goals
- Provide feedback on limiting factors and threats analyses that are the basis for identifying recovery plan management actions in the domain
- Evaluate and advise on a range of recovery scenarios and short and long-term management actions to meet these scenarios
- Recommend preferred management action scenarios
- Identify strategies that could improve the effectiveness of the Oregon Plan as a vehicle to address recovery plan implementation
- Inform their constituents and the public on the development of the recovery plan.

NOAA Fisheries intends to link Pacific Coastal Salmon Recovery Funds (PCSRF) to recovery plans. The Oregon Watershed Enhancement Board (OWEB) administers PCSRF funds for the state. OWEB will prioritize funding for projects that (1) support and implement recovery plans and (2) that address the factors limiting recovery of ESA listed salmon and steelhead, consistent with enabling legislation for Measure 66 and the Oregon Plan for Salmon and Watersheds.

NOAA Fisheries also intends to work with other federal agencies to focus funding priorities on salmon recovery actions as appropriate. This effort will include working with other federal agencies to develop an agreement for cooperative implementation of federal funding programs, including the Bonneville Power Administration's Fish and Wildlife Program.

How does NOAA Fisheries Service intend to use recovery plans? What's the relationship between recovery planning and ESA assurances?

Future regulatory reviews under sections 7 and 10 of the ESA can be affected by recovery plans. Plans will describe the most significant limiting factors and threats facing each management unit and population as well as the opportunities for improving survival across the Hs. This information will provide important context for evaluating the effects of actions subject to sections 7 and 10 in the plan area.

You can access lower Columbia River recovery plan information at this link by clicking on "download meeting materials" from the March 9 meeting at: <http://www.dfw.state.or.us/fish/esa/lower-columbia>.

*Brian Nakamura, East Fork Irrigation District Director and OWRC Director, was invited to serve on the Oregon Lower Columbia and Willamette Salmon and Steelhead Recovery Planning Stakeholder Teams. We asked him to provide a description of the Recovery Teams' work for our members and to provide updates during the life of the Teams.*

## Executive Director's Report

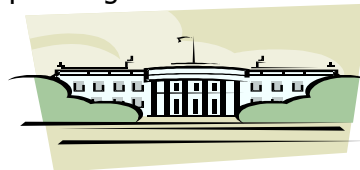
As I write this today, the sun is coming out and the forecast is for some beautiful spring weather in the Willamette Valley. Of course, I have learned that the weather doesn't follow the forecast so I'm not counting on the weatherman being correct. Nevertheless, it's been wonderful to have a few sunny days after a wet winter. And yes, I know, that in the water business it is not a good thing to be glad to see the rain end, but I think you will all forgive me for being glad to see a few warm, dry days this year.

This winter I have had the opportunity to meet with patrons from about 30 of our member districts around the state. Talking to the farmers and producers always re-energizes me and reminds me why OWRC works so hard on behalf of irrigation and water control districts. I used this opportunity to explain recent legislative activities we worked during the session to help districts and their patrons and to listen to patrons concerns about their districts long term viability and the critical role the districts play in their patrons ability to farm. I am always impressed by the warm reception I receive from the district staff, board members, and patrons. The consistency of concerns from district patrons throughout the state reinforced the importance of OWRC's commitment to protecting districts ability to serve their patrons.

Jim Pendleton, Talent Irrigation District; Jay Chamberlin, Owyhee Irrigation District, and I have been meeting with Bureau of Reclamation staff on the details of the pilot project to bring Bureau staff to districts to broaden their understanding of district operations. This project was the result of discussions with John Keys at OWRC's annual conference last December and had his strong support. Before retiring Commissioner Keys pledged Bureau staff and resources to this project. The Bureau staff is very supportive and have worked well with us to develop the program. The plan is to start this summer using Owyhee and Talent Irrigation Districts as the training grounds. Based on the success of this year, the project may be expanded in Oregon and to other western states.

During a panel discussion about 2006 legislative activities at our Water Law Seminar, the panelists agreed on the need to address water storage. Earlier this year I invited those panelists to a meeting to talk about water storage to see what we have in common and there is a shared interest in looking for additional water storage although there is not necessarily agreement on the type of storage, the locations, or even the usage for the stored water. The group represented the League of Cities, Oregon Water Utilities Association, Oregon Farm Bureau, Water Watch, OWRC, Oregon Agriculture Alliance. The group with some additional participants will continue to meet.

We have restructured the newsletter to focus on OWRC's mission and the activities undertaken to further that mission. Elsewhere in this newsletter you will find information about different activities in which OWRC has been engaged this year. We appreciate your feedback and suggestions. And we welcome your contribution if you are inspired to write a short article for upcoming newsletters.



### OWRC in Washington D.C.

Several OWRC members have traveled to Washington, D.C. on behalf of OWRC in the first quarter of this year.

- In January Bev Bridgewater met with Congressional Committee staff to explain Oregon's NPDES permits for the use of aquatic herbicides in irrigation canals and ditches and discuss the importance of the Pest Management & Fire Suppression Flexibility Act for irrigation districts in Oregon.
- In early April Steve Johnson met with staff of Oregon's Congressional delegation while attending the NWRA conference and had the opportunity to talk with Congressional committee staff as part of the conference about OWRC federal issues.
- The last week of April Marc Thalacker and Anita Winkler met with Senator Wyden's and Senator Smith's staff, Congressman Walden's and Congressman DeFazio's staff, staff of the House Resources Committee, and U.S. Fish and Wildlife staff to discuss OWRC's federal issues with focus on the reauthorization and appropriations of the Fishery Restoration and Irrigation Mitigation Act (FRIMA), authorization and appropriations of the Water 2025 program.

**Membership Service Committee**  
**Bev Bridgewater, Chair.**

Nineteen districts attended Water 2025 and DEQ State Revolving Fund Loan program workshop in Bend. Staff from the Bureau of Reclamation and the Oregon Department of Environmental Quality walked district staff through their application procedures and discussed strategies for successful applications. Managers from districts who had received Water 2025 grants or DEQ loans shared their experiences with the programs including the application process and the management requirements after receiving the grant or loan.

We have worked with Dept. of Ag to put together a training class for the Aquatic herbicide module for the Oregon Pesticide License. It will be May 24 in Salem.

The Committee is working on a new OWRC brochure that can be used to communicate our message to individuals and organizations outside our members and for membership development. We are looking for photographs that highlight district operations and the agriculture served by districts. If you have a photograph you could share, please contact the OWRC office.

**UPCOMING EVENTS**  
**OWRC Board Meetings**

**May 12, 2006**

Holiday Inn – Ontario, Oregon

**August 18, 2006**

Medford – Location TBD

**May 23, 2006**

Office Staff Meeting – Bend, Oregon

***From the Editor***

It's hard to believe that in just a few weeks I will celebrate my one year anniversary with OWRC. Time truly does fly when you're having a good time. I had very big shoes to fill with taking over for Marge and I know I still have a long way to go. Speaking of which, Marge continues to provide great support to me which I truly appreciate. She has her garden all planted and is enjoying retirement.

I really enjoyed meeting OWRC members at the Water Law Seminar, Easement Workshop and Annual Conference; you are truly a great bunch of people. I am constantly thinking about what value your OWRC membership brings to you and what else I can do to add to that value. In addition to all the training opportunities OWRC provides to members, there is the daily news updates and other water related information that are e-mailed. The quarterly newsletter is undergoing some minor renovations so you may notice some content changes. The new 2006 Directory is in the mail and you have read in Bev's column that we are working on a new brochure. The website has all sorts of great information and is also going to be undergoing some changes. I would really appreciate hearing any of your suggestions for information that you would like to see contained in any of the above. Please feel free to e-mail me at [carolz@owrc.org](mailto:carolz@owrc.org) or call me at 503-363-0121.

## **PETER CARLSON PRESENTS JOHN KEYS WITH OWRC LIFE MEMBER PLAQUE AT HIS RETIREMENT CEREMONY**



### **Norton Lauds Service of John Keys as Commissioner of Bureau of Reclamation**

**WASHINGTON**-Interior Secretary Gale A. Norton announced the resignation of John W. Keys III, from his position as Commissioner of the Bureau of Reclamation. Norton lauded Keys' service to the nation and his success in handling water issues associated with the worst five years of drought in the past five centuries. After serving nearly 40 years with the Bureau, Keys intends to spend time with his family. His resignation is effective April 15.

"As Commissioner, John led the way in developing the Water 2025 Initiative that is helping to avoid future water crises in the West," Secretary Norton said. "He and the rest of the Interior water team were crucial in resolving a nearly 75-year dispute when California water users reached agreement with the federal government and six other states on a multi-decade agreement for sharing and using water in the Colorado River.

"He is a consensus builder who spent a long career with the Bureau of Reclamation and then agreed to join my team to lead the Bureau as Commissioner," Norton said. "He will be missed."

Among Keys' accomplishments is development of the Lower Colorado River Multi-Species Conservation Program (MSCP), a coordinated, comprehensive, long-term multi-agency effort to conserve and work toward the recovery of endangered species and protect and maintain wildlife habitat on the Lower Colorado River.

"I love the Bureau of Reclamation," Keys said. "I believe in what we do. I am proud of our part in the water development and management that has made it possible for us to live in the arid West. I believe that the Bureau and our Department are ready for the water challenges of the 21st century. It is a bittersweet time to leave Reclamation again."

In addition, in his letter to Secretary Norton, Keys thanked her for the privilege of serving in the job and wrote: "Secretary Norton, I leave the Bureau of Reclamation in good hands and with a strong course. Reclamation employees are among the best, with a pervasive can-do attitude and true commitment to Reclamation's purpose and mission."

Keys spent 34 years as a career employee with the Bureau, first as a civil and hydraulic engineer and later as the Pacific Northwest Regional Director.

