



Harney Groundwater Rules Advisory Committee: Discussion Groups

Meeting #1 via Zoom

Monday, September 9, 2024 from 10-11:30 AM (PT)

Meeting Summary

Meeting Zoom Recording Link: https://media.pdx.edu/media/t/1_t2tl2upx

Attendees:

Barbara Cannaday, Barbra Howard, Bobby Cochran (Oregon Consensus), Breanna O'Connor (Harney SWCD), Brenda Smith (High Desert Partnership), Chad Karges (High Desert Partnership), Christopher Hall (Oregon Water League), Curt Blackburn, Dally Swindlehurst (OWRD), Fred Flippence (Harney Electric), Harmony Burrigh (High Desert Partnership), Jake Blackburn, Jason Spriet (OWRD), Jerry Grondin, Jess Wenick (USFWS), JR Toelle, Julie Weikel, Kelly Meinz (OWRD), Ken Bierly, Kristen Shelman (Harney County Court), Lisa Brown (Water Watch), Lorissa Singhose, Melissa Petschauer (High Desert Partnership), Richard Kosesan (Water For Life), Steve Rickman (Burns Electric), Tim Seymour (OWRD), Travis Singhose

Action items

- Distribute meeting summary, slides, and meeting recording (Oregon Consensus)
- Send September 16 and 17, 2024 prep materials (Oregon Consensus with HDP)
- Check on CREP potential by sub area (HDP)

Summary

Introductions

Bobby Cochran from Oregon Consensus opened the meeting and asked participants to introduce themselves in the Zoom Chat. Harmony Burrigh, Brenda Smith, and Chad Karges representing High Desert Partnership introduced themselves as part of the Oregon Consensus-led facilitation team for the Discussion groups.

Discussion Groups Overview and Process Guidelines

Bobby recapped the reason why discussion groups were being offered based on the request of some RAC members, some members of the public, and OWRD. Groundwater management is complex and more discussion is helpful. The discussion group meetings will be noticed and open to anyone. The groups will be facilitated by Oregon Consensus with process support from High Desert Partnership, meeting notes taken, and materials posted on the OWRD website. OWRD staff will participate in discussion groups in a supporting role.

Proposed Framework for Discussions (see Appendix A)

Harmony introduced a DRAFT framework for discussion topics that included:

- Understanding current conditions
- Defining success: Setting Goals for Groundwater Management
- Achieving Success: Management Actions
- Achieving Success: Voluntary Approaches
- Achieving Success: Regulatory Approaches

And two cross-cutting themes that rely on inputs from the discussion topics above:

- Defining modeled management scenarios
- Assessing fiscal impacts of potential management scenarios

There was some discussion about the relative importance of fiscal impacts relative to the other topics. Specifically, how much should fiscal impacts inform goals for groundwater management and management actions and how helpful can fiscal impact information be in understanding the implications of different groundwater management scenarios? Harmony and Bobby clarified that there was no intention of a priority of one topic over any others.

Another participant wanted to make sure the aspects of timing for achieving goals and implementing management actions was part of the discussion. Bobby clarified that timing would be a key part of the September 16 conversation on modeled management scenarios.

Groundwater Model Scenarios (Preparing for September 16 Workshop)

Harmony went on to share the proposed approach to the discussion for September 16. The goal of that workshop is to define, as much as possible, groundwater model scenarios that define options for:

At a minimum...

- Amount of proposed pumping reductions
- Location of proposed pumping reductions

More complicated inputs...

- Timing of proposed pumping reductions (transitions and triggers)
- Allocation of proposed pumping reductions (by priority or proportional reductions or other)

These model scenarios will not define how to achieve groundwater reductions. That is for a future discussion.

For September 16, Oregon Consensus, High Desert Partnership, and OWRD will provide:

- Discussion guides and worksheets to support discussion during the upcoming workshops;
- Guidance from OWRD on how to develop scenarios that can be evaluated using the USGS published Harney Basin Groundwater Model ([link](#));
- OWRD's 2024 groundwater trends analysis ([link](#));

- Base maps that show 2018 groundwater contours, 2024 groundwater level trends for monitoring wells, the outer boundary of the Harney Basin; and the 15 sub area boundaries delineated by OWRD;
- Some of the possible model scenarios already defined by OWRD, USGS, and others to build from.

Fiscal Impact Statements (Preparing for September 17 Workshop)

Harmony also shared the proposed approach to the discussion for September 17. The goal of that workshop is to define, as much as possible, the categories of fiscal impact, methods for measuring those impacts, and available data to support articulation of fiscal impacts. Part of the intention for early discussion on fiscal impact is to have that information available during RAC deliberations on groundwater model outputs.

Kelly from OWRD will share with the discussion group OWRD's requirements for fiscal impact, and the information OWRD already has, so the discussion groups can understand and build upon baseline expectations and requirements as well as work already performed.

A participant suggested the recent statewide groundwater allocation rulemaking had a fiscal impact statement that could be a good model. A participant also asked if there were ways to assess the potential of the Conservation Reserve Enhancement Program (CREP) by particular sub areas.

Harmony shared some of the experts who had been invited, and requested suggestions for who else to invite to participate in these discussions who might have expertise about fiscal or economic impacts on various groundwater uses or users.

For September 17, Oregon Consensus, High Desert Partnership, and OWRD will provide:

- A discussion guide that describes past RAC input fiscal impacts;
- A handout (or slides) from OWRD on elements of fiscal impact;
- A link to the statewide groundwater allocation rule's fiscal impact statement; and
- A link to additional fiscal impact resources.

The meeting was adjourned at 11:30 AM

Appendix A: Proposed Framework for Discussion Group Topics

The seven “discussion areas” in the table below will be the subject of discussion groups between RAC meetings. The focus and structure of each meeting will be determined in consultation with OWRD to support RAC deliberations. This is a conceptual representation of the potential scope and organization of discussion topics. The discussion groups will generate options and considerations to support RAC deliberations.

Crosscutting Discussions: A) Modeled management scenarios, B) Fiscal impacts of potential management scenarios <i>Cross-cutting topics require substantive discussion across the topics represented below</i>				
C) Understanding Current Conditions	D) Defining Success: Setting and Measuring Goals for Groundwater Management	E) Achieving Success: Management Actions	F) Achieving Success: Voluntary Approaches	G) Achieving Success: Regulatory Approaches
<ul style="list-style-type: none"> ● Subarea boundaries ● Basin-wide and subarea problem definitions (groundwater level trends and known or potential impacts) ● Prioritization of subareas 	<ul style="list-style-type: none"> ● Indicators of sustainability (quantification where possible) ● Groundwater level goals (rate, magnitude, timing) for sub-areas ● Measuring and monitoring success – identifying representative monitoring sites/data sets to know when goals have been achieved 	<ul style="list-style-type: none"> ● Proposed reductions in groundwater use for sub-areas to avoid problems and achieve goals (“allocation,” timing, etc) ● Review of potential management actions to achieve reductions in groundwater use ● Adaptive management considerations <p>Other management actions:</p> <ul style="list-style-type: none"> ● Classification/allowed future uses of groundwater ● Water use measurement and reporting ● Well construction ● Others? 	<ul style="list-style-type: none"> ● Voluntary agreements <ul style="list-style-type: none"> ○ Boundaries ○ Goals/objectives ○ Proposed reductions/approach ○ Management tools? ○ Governance ○ Interim milestones ○ Triggers for regulatory action ● Voluntary forfeiture of groundwater rights (CREP) ● Adaptive management considerations 	<ul style="list-style-type: none"> ● Critical groundwater management area designation ● Corrective controls under a CGWMA <ul style="list-style-type: none"> ○ Basin closed to further appropriation ○ Disposition of undeveloped rights ○ Establishment of permissible total withdrawal (PTW) ○ Other measures to protect public welfare, health and safety ○ Protections for thermal characteristics (not in scope) ● Adaptive management considerations ● Enforcement of decline conditions in permits

				<ul style="list-style-type: none">● Forfeiture of unused groundwater rights
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Note: *These are not prioritized in any way and the organization of the framework should not be taken to mean that any single topic is more important or significant than another topic.*