

Willamette Intake Facilities Commission
Board Meeting Agenda
Monday, July 29, 2019 | 6:00 – 8:00 PM

Tualatin Valley Water District – Board Room
1850 SW 170th Avenue, Beaverton, OR 97003

To prepare to address the Willamette Intake Facilities Board, please fill out the Public Comment Form located on the table near the main door to the meeting room. ****Assistive Listening Devices (ALD) are available upon request 48 hours prior to the day of the meeting by calling (503) 941-4580.****

All testimony is electronically recorded.

The Board and other attendees dine at 5:30 p.m.

CALL TO ORDER

1. GENERAL MANAGER'S REPORT – *Dave Kraska*

(Brief presentation on current activities relative to the WIF Commission)

2. PUBLIC COMMENT

This time is set aside for persons wishing to address the Board on items on the Consent Agenda, as well as matters not on the agenda. Additional public comment will be invited on agenda items as they are presented. Each person is limited to five minutes, unless an extension is granted by the Board. Should three or more people testify on the same topic, each person will be limited to three minutes.

3. CONSENT AGENDA (The entire Consent Agenda is normally considered in a single motion. Any Commissioner may request that an item be removed for separate consideration.)

A. Approve the April 29, 2019 meeting minutes

4. BUSINESS AGENDA

A. Approve MOU with Clackamas River Water for Lab Services. *Staff Report – Joel Cary, TVWD*

5. INFORMATION ITEMS

A. Semiannual Update on the Willamette Water Supply Program Raw Water Facilities Project – *Dave Kraska, WWSP*

B. Legislative Update – *Joel Cary, TVWD*

C. The next Board meeting is scheduled on October 28, 2019, at Tualatin Valley Water District– Board Room

6. COMMUNICATIONS AND NON-AGENDA ITEMS

A. None scheduled

ADJOURNMENT

Willamette Intake Facilities Commission

(This page intentionally left blank)

Willamette Intake Facilities Commission
Board Meeting Minutes
Monday, April 29, 2019

Tualatin Valley Water District – Board Room
1850 SW 170th Avenue, Beaverton, OR 97003

REGULAR SESSION – 6:00 PM

CALL TO ORDER

Chairman Godsey called the meeting to order at 6:00 pm, followed by attendee introductions.

Commissioners present:

Tualatin Valley Water District (TVWD): Dick Schmidt (Alternate)
Beaverton: Marc San Soucie
Hillsboro: John Godsey (Chair)
Sherwood: Sean Garland (Vice Chair)
Tigard: John Goodhouse
Wilsonville: Kristin Akervall (Alternate)

Committee Members present:

TVWD: Mark Knudson, Management Committee
Paul Matthews, Finance Committee
Pete Boone, Operations Committee (Alternate)
Beaverton: David Donaldson, Management Committee
Hillsboro: Kevin Hanway, Management Committee
Niki Iverson, Management Committee (Alternate)
Sherwood: Amy Jollett for Craig Sheldon, Management Committee
Tigard: Brian Rager, Management Committee

Managing Agency Staff present:

Dave Kraska, Willamette Water Supply Program (WWSP) Director/WIF Commission General Manager
Joelle Bennett, WWSP Assistant Director
Justin Carlton, WWSP Finance and Administration Supervisor
Joel Cary, TVWD Water Resources Division Manager
Faye Branton, WWSP Administrative Assistant/WIF Commission Recorder
Mark McConnell, TVWD Facilities Department

Other Attendees:

Adam Sussman, GSI Water Solutions, Inc.

1. GENERAL MANAGER'S REPORT

Mr. Kraska introduced Mr. Balfour, who presented a Safety Minute on Work Zone Traffic Control.

Mr. Kraska presented the General Manager's report, which included an update to agenda packet review procedures, delivery of the (calendar) Q1 2019 financial report, a Raw Water Facilities project update, and an update on activities related to coordination with Kinder Morgan.

2. PUBLIC COMMENT

There were no public comments.

3. CONSENT AGENDA

- A. Approve the January 28, 2019 meeting minutes.

Motion was made by San Soucie, seconded by Garland, to approve the consent agenda as presented. The motion passed unanimously with Ackervall, Garland, Godsey, Goodhouse, San Soucie, and Schmidt voting in favor.

4. BUSINESS AGENDA

- A. Approve FY19-20 WIF Annual Work Plan and Budget. *Staff Report – Dave Kraska*

Mr. Kraska briefed the Board regarding the preparation and review process of the Annual Work Plan and Budget and pointed out changes in the FY19-20 budget compared to the previous fiscal year. Most of the anticipated spend in FY19-20 is due to design and construction preparation activities.

In response to Commissioner's question, no threshold has been identified for requiring Board approval to use contingency dollars. The contingency will be a separate appropriations category, which will require Board action to transfer that appropriation to either materials and services or capital outlay before the contingency can be used.

In response to Commissioner's question, staff replied the numbers, including rates for administrative staff hours, presently in the budget documents are estimates. There are three components to the hourly rate. 1) The raw rate will be determined by TVWD's pay-for-performance process, which will culminate in new hourly rates on July 1. 2) The labor burden rate covers items such as benefits. At TVWD, vacation and sick leave are considered part of the benefits as opposed to part of the hours. That is included in the labor burden rate, which is about 70% of raw salary. TVWD will re-estimate that as it completes its budget process and has a better sense of the cost of the various components. 3) Indirect costs comprise the third component. As a special district with one enterprise fund, rather than having an indirect cost allocation plan, TVWD calculates an indirect cost number that is added to direct labor to recover indirect costs. TVWD does not charge a separate indirect cost fee. All of these costs are passed through on the hourly rate, which is approximately 43% at the present time.

TVWD will repeat last year's process and provide the WIF Finance Committee members with the technical budget details for their evaluation. These numbers are estimates until the TVWD budget is finalized.

Motion was made by San Soucie, seconded by Goodhouse, to adopt the budget resolution as presented. The motion passed unanimously with Ackervall, Garland, Godsey, Goodhouse, San Soucie, and Schmidt voting in favor.

- B. Approve FY19-20 WIF Board Meeting Schedule. *Staff Report – Dave Kraska*

Motion was made by Goodhouse, seconded by Garland, to adopt the FY19-20 WIF Board meeting schedule resolution as presented. The motion passed unanimously with Ackervall, Garland, Godsey, Goodhouse, San Soucie, and Schmidt voting in favor.

5. INFORMATION ITEMS

- A. Willamette Reallocation Update – *Adam Sussman, GSI Water Solutions, Inc.*

Ms. Iverson introduced the Willamette Reallocation topic, briefly providing background regarding her involvement with the Oregon Water Utilities Council, the Council’s purpose in following the Willamette Basin Project for a number of years, and the service GSI Water Solutions, Inc. is providing in the reallocation effort.

Ms. Iverson then introduced Adam Sussman of GSI Water Solutions, Inc., who presented the history, progression, and next steps of the Willamette Basin Project. (See [attached presentation](#).)

- B. Legislative Update – *Joel Cary, TVWD*

Mr. Cary provided an overview of the key bills introduced during the 2019 Oregon Legislative Session that could affect drinking water providers, including a summary of bills: HB 2001, HB 5017, HB 3326, SB 27, SB 51, and SB 935. He presented a timeline and updates regarding bills of particular interest to the WIF and the Managing Agency’s activities in working with the legislature. The State’s budget forecast is expected to be released May 15, which will give an indication of which bills will move forward, as well as funding. (See [attached presentation](#).)

In answer to Commissioner’s question, staff replied that the SDC language was stripped from HB 2001. (HB 2001 summary: Delays SDC charges until “issuance of an occupancy permit”)

- C. The next Board meeting is scheduled on July 29, 2019, at Tualatin Valley Water District – Board Room.

6. COMMUNICATIONS AND NON-AGENDA ITEMS

- A. None scheduled.

ADJOURNMENT

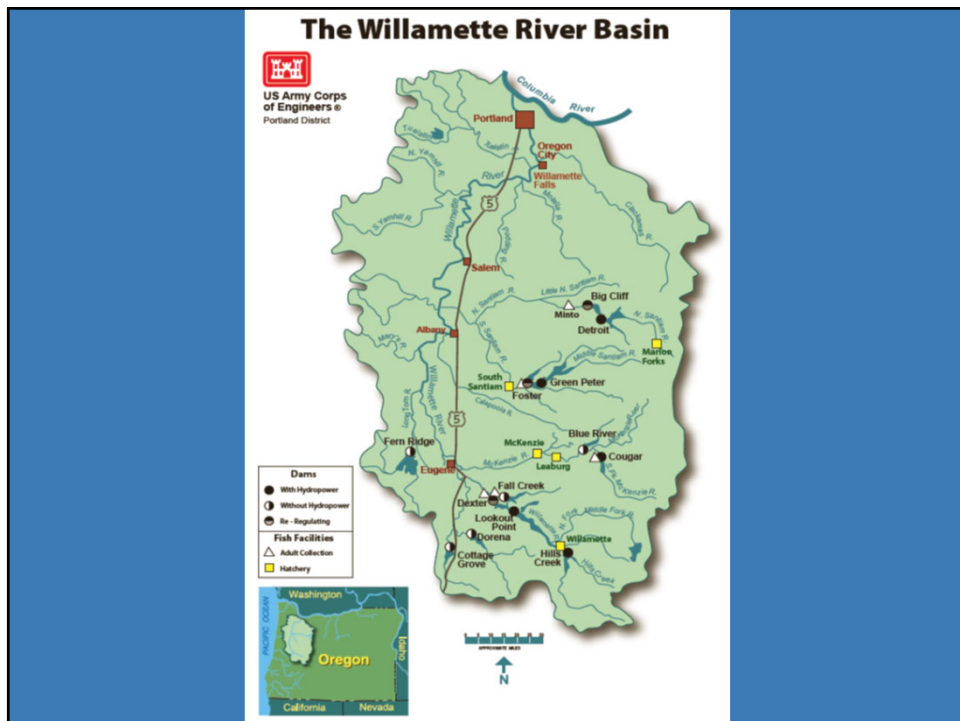
There being no further questions or business, Chairman Godsey adjourned the meeting at 6:57 p.m.

John Godsey, Chair

Sean Garland, Vice Chair

Willamette Intake Facilities Commission

(This page intentionally left blank)



Willamette Basin Project Overview

- **13 Reservoirs**
 - 1,640,000 Acre-Feet of storage
- **Congressional authorization - 1938/1950** for numerous purposes, including:
 - Irrigation, flood control, navigation, hydropower, pollution abatement, municipal water supply

Willamette Basin Project Overview

- **1954/1968** – USBOR filed water right applications
- **1996** – Storage certificates issued to USBOR
- **Water Rights: store water for irrigation use only**

Access to Stored Water Issues

- Storage water rights - irrigation only
- Storage space not allocated***
- Cost of water/contracting program

Why Are Water Providers Interested?

- Responsibility to serve growing communities
- Facing limited future water supply options
- Conditions on existing permits
- Currently unable to access federal storage water in Willamette Basin projects



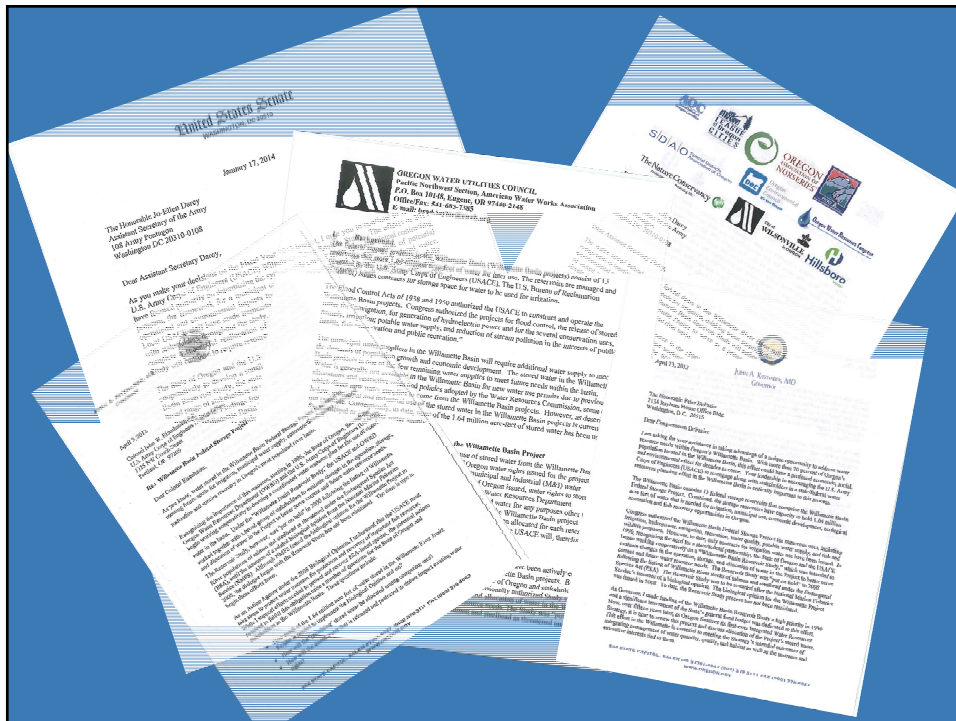


Seeking Access to Stored Water *Long Process, Few Results*

- **1994: Reservation Request**
- **1996: Willamette Basin Reservoir Study**
- **2000: Study put on hold due to ESA listing**
- **2008: SWMWP Report**
- **2008: Biological Opinion (Bi-Op) issued**

Seeking Access to Stored Water (Bi-Op)

- Municipal use not considered
- Conversion of stored water minimum perennial streamflows
- ORS 540.045(3) – stored water released in excess of water rights is “natural flow”
- Potential for unintended consequences – upper basin and tributaries



Study Timelines

- August 2015: Cost Share Agreement signed
- July 2017: Tentatively Selected Plan
- November 2017: Draft Feasibility Report
- January 2018: Public comment ends
- May 14, 2018: State Agency Position Letter
- September 2018: Recommended Plan

Recommended Plan For Reallocation

Use	USACE's Tentatively Selected Plan Alternative D November 2017		USACE Agency Recommended Plan Alternative C September 2018	
	Volume (AF)	Percent	Volume (AF)	Percent
F&W:	962,800	60%	1,102,600	69%
M&I:	73,300	5%	159,750	10%
AI:	253,950	16%	327,650	21%
Joint Use:	299,950	19%	0	0%

Willamette Instream Flow Demand

WBR Demand analysis currently applying NMFS' 2008 Willamette Project Biological Opinion flow targets

An interdisciplinary technical team was convened to review and consider refinements to the 2008 BiOp targets

Interdisciplinary Team:

Hydrologists

Geomorphologists

Water quality modelers

Ecologists

Managers

Stakeholders



Next Steps

- Complete ESA Consultation process
- 30-day State and Agency Review
- Chief's Report targeted for November 2019
- Office of Management and Budget
- House Transportation and Infrastructure Committee (WRDA)

Current Focus of OWUC

- Monitor consultation process and “reasonable and prudent measures”
- Support Alternative C
- Resolve storage water right transfer issue
- Explore strategies to reduce cost of stored water for M&I use
- Collaborate on implementation strategy



[Back to Minutes](#)

2019 Oregon Legislative Session

Review of WIF Managing Agency Engagement

Joel Cary
TVWD Water Resources Division Manager

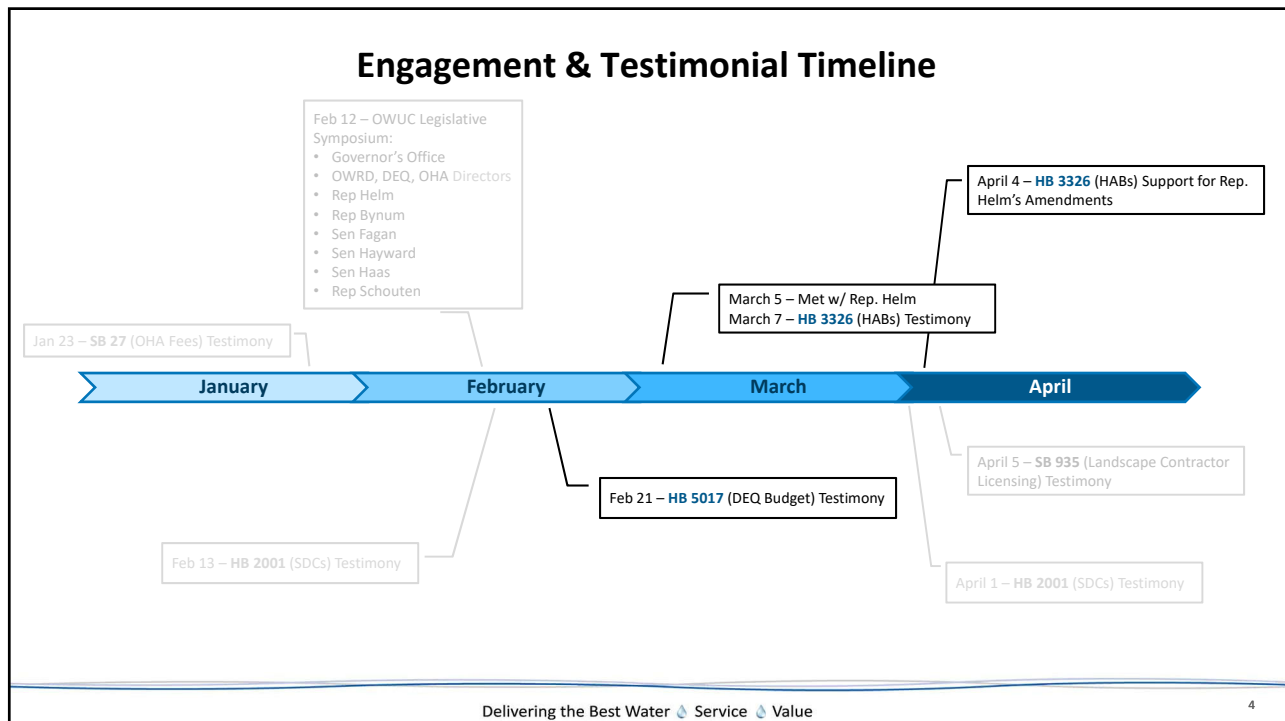
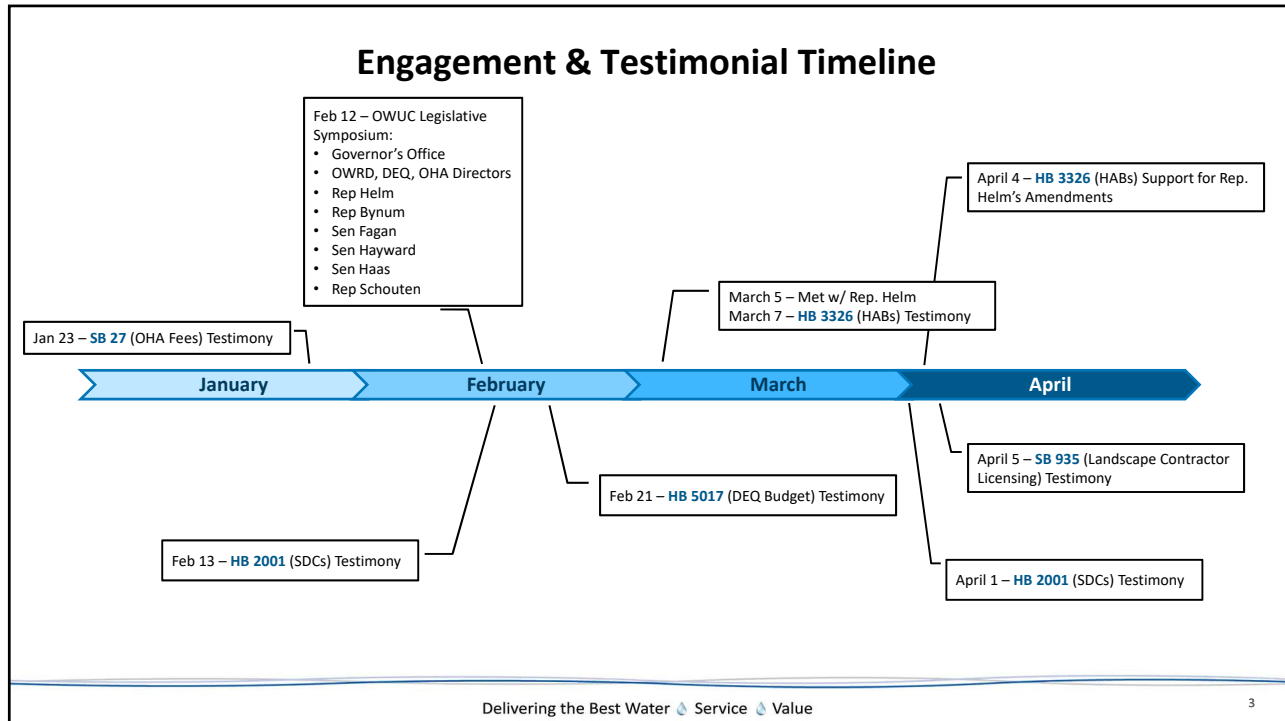
Tualatin Valley Water District

 Delivering the Best Water  Service  Value

Key Bill Summary



- **HB 2001** – Delays SDC charges until “issuance of an occupancy permit”
- **HB 5017** – Oregon DEQ budget lacks lab funding for cyanotoxin testing
- **HB 3326** – DEQ lab funding, HAB position at OHA
- **SB 27** – Imposes new fee on public water systems
- **SB 51** – Provides OWRD authority to change “type of use” for stored water rights
- **SB 935** – Modifies landscape construction professional license



Next Steps – Engagement & Legislative Process

- **HB 3326** – Supporting, Moving to Ways and Means Committee, then House Floor
- Tracking additional House and Senate Bill
 - **SB 51** – Character (i.e., type) of use



Questions?

Thank you

Back to Minutes

Willamette Intake Facilities Commission

(This page intentionally left blank)

WIF COMMISSION STAFF REPORT

To: Board of Commissioners

From: Joel Cary, TVWD Water Resources Division Manager

Date: July 29, 2019

Subject: Memorandum of Understanding (MOU) for Cyanotoxin Testing

Requested Board Action:

Consider granting TVWD authority to approve a final MOU with Clackamas River Water's laboratory to perform regulatory or non-regulatory analyses for cyanotoxin testing on behalf of the WIF Commission.

Key Concepts:

This Staff Report outlines recent activities and recommended actions related to the cyanotoxin monitoring included in the WIF Annual Work Plan for fiscal year 2019 - 20. Key details include:

- Required monitoring schedule and adopted 2019-2020 WIF Budget
- Updates to the Oregon Department of Environmental Quality's (DEQ) analytical services
- Recommended, additional lab services for cyanotoxin testing

Background:

Bi-weekly cyanotoxin monitoring is required at the Willamette River intake under Oregon Health Authority rules from May 1 – October 31. In the adopted 2019-2020 Budget, members approved having the WIF Commission coordinate and manage cyanotoxin testing on behalf of the City of Wilsonville if DEQ's lab was unable to provide these analytical services. During WIF budget development and the Oregon Legislative process – which coincided during the first half of 2019 – it was unclear if DEQ would be provided funding to continue this testing at no-cost to water providers; however, funding was recently approved for the 2019-2020 State Budget.

During this time, options were explored to meet testing needs. Clackamas River Water's in-house laboratory is now accredited under the State of Oregon to perform cyanotoxin testing and as such, is a viable option if additional analytical services are needed. Benefits include a cost-effective, local lab that's close to the Willamette Intake in the event that proactive or back-up testing capacity is needed. This could be to confirm DEQ samples before issuing a public notice or to conduct assessment monitoring beyond the required bi-weekly schedule if conditions upstream change.

The attached MOU is draft. Staff are requesting that the Commission grants TVWD the authority to complete addressing partner comments and questions and execute the final MOU.

Budget Impact:

No impact to approved 2019-2020 WIF Commission Budget. Costs for this option are commensurate with testing services budget already adopted.

Staff Contact Information:

Joel Cary; TVWD Water Resources Division Manager, 503-848-3019; joel.cary@tvwd.org
Carrie Pak; TVWD Chief Engineer; 503-848-3045; carrie.pak@tvwd.org

Attachments:

Proposed draft MOU with Clackamas River Water

Management Staff Initials:

General Manager		TVWD General Counsel	
TVWD Chief Engineer		TVWD Chief Financial Officer	N/A

RESOLUTION WIF-03-19

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE TUALATIN VALLEY WATER DISTRICT AND CLACKAMAS RIVER WATER FOR CYANOTOXIN TESTING SERVICES

WHEREAS, by Resolution 01-19 dated April 29, 2019, the WIF Board approved and adopted the Annual Work Plan for the 2019-20 fiscal years; and,

WHEREAS, Task 1.g. of the Annual Work Plan includes cyanotoxin monitoring at the Willamette River Water Treatment Plant including 14 bi-weekly samples to be taken from July 1, 2019 through October 31, 2019 and May 1, 2020 through June 30, 2020; and

WHEREAS, the WIF Managing Agency (Tualatin Valley Water District) intends to use the Oregon Department of Environmental Quality labs for this testing but has determined that additional laboratory resources would provide valuable backup particularly when back-up or proactive testing is necessary; and

WHEREAS, Clackamas River Water’s laboratory is now accredited under the State of Oregon to perform cyanotoxin monitoring; and

WHEREAS, Clackamas River Water has provided the draft Memorandum of Understanding attached hereto as Exhibit A and incorporated by reference to enable providing these laboratory services to the WIF; and

NOW, THEREFORE, the Board of Commissioners resolves:

Section 1. The Memorandum of Understanding between the Tualatin Valley Water District and Clackamas River Water for cyanotoxin testing services attached hereto as Exhibit A and incorporated by reference is hereby approved.

Section 2. The WIF General Manager is authorized to execute this MOU. The Board recognizes that there may be edits and corrections to the final agreement, and that the WIF General Manager is authorized to accept amendments and sign on behalf of the Managing Agency so long as the amendments do not substantially change the agreement and such amendments are approved by the General Counsel of the Managing Agency.

INTRODUCED AND ADOPTED THIS 29th DAY OF JULY, 2019
Willamette Intake Facilities Commission

John Godsey, Chair

Sean Garland, Vice Chair

Willamette Intake Facilities Commission

(This page intentionally left blank)

MEMORANDUM OF UNDERSTANDING
FOR LABORATORY SERVICES

Contract # Vendor-Month-Year

This Memorandum of Understanding (MOU) is made between the <Insert Entity> and Clackamas River Water (CRW), a domestic water supply district formed under ORS chapter 264.

Recitals

- A. The parties believe that there may be operational and financial benefits to mutual cooperation relating to lab testing services.
- B. ORS chapter 190 authorizes and encourages units of local government to enter into agreements to achieve efficient, economic and effective provision of service.
- C. <Insert Entity> and CRW believe that the use of CRW’s laboratory for testing purposes by <Insert Entity> will provide economies of scale for both agencies and therefore agree as follows:

Agreement

- 1. TERM OF THIS AGREEMENT - The parties agree that this agreement shall be effective when signed by duly authorized representatives of the Parties and shall terminate when written notice is given according to the provisions herein, or three (3) years after the effective date of this Agreement, whichever comes sooner.
- 2. CRW will provide cyanotoxin analysis laboratory services (lab services) to <Insert Entity>
- 3. CRW will provide the results of the lab services to <Insert Entity> not more than 72 hours from the day the samples are received in the Laboratory, unless unusual circumstances exist that would require a delay in reporting. If such unusual circumstances exist, CRW shall notify <Insert Entity> as soon as the circumstances are known to CRW and <Insert Entity> shall have the option of placing the samples with another lab in the event the delay is unacceptable to <Insert Entity>.

4. CRW will provide services and prices as describe in Attachment A. This price shall be a firm price until May 1, 2020 (the firm price period). Upon expiration of the firm price period, the price is subject to change annually, either by decrease or increase, by written notification of CRW to <Insert Entity>. If <Insert Entity> agrees to the change in pricing, a mutual written modification to this MOU shall be executed by the parties. In the event <Insert Entity> does not agree with the price change, CRW shall no longer be obligated to provide testing services under this MOU.

5. The prices for additional analyses or general lab services would be set by mutual agreement and stated in writing.

6. <Insert Entity> and CRW shall develop an agreed upon protocol for collecting, transporting, handling, and testing samples. Samples processed include routine water samples, construction-related water samples and emergency-related water samples. <Insert Entity> will collect and deliver the water samples to the CRW Drinking Water Quality Laboratory Monday thru Thursday according to generally accepted procedures. <Insert Entity> shall also be responsible for maintaining a chain of custody log for each set of samples delivered to the Laboratory, which will show the date and time the sample was taken, the place at which the sample was taken, the name of the person taking the sample, the name of the person having custody of the sample during all times after the sample was taken until delivered to CRW and the date and time the sample was delivered to CRW. <Insert Entity> will be responsible for re-collecting water samples that are either positive for cyanotoxins at or above the acceptable level or are rejected by the Laboratory.

7. At the end of each quarter, CRW shall invoice <Insert Entity> for the number of samples tested. The invoice shall identify the sample by number and the type of test performed and with the applicable pricing. <Insert Entity> shall pay such invoices not later than 30 days after the date of invoicing at which time the invoice shall be delinquent. If such invoices become delinquent, CRW shall have the right to assess interest at the rate of 1% per month for the unpaid balance on all delinquent invoices until such invoices are paid.

8. This Agreement may be terminated at any time by mutual agreement of the Parties. This Agreement may be terminated by any Party giving 30 days' notice of termination.

9. Notices required under this Agreement shall be sent to:

<Insert Entity>
c/o _____
<Insert Address>

Clackamas River Water
c/o Todd Heidgerken,
General Manager
16770 SE 82nd Drive, Suite 100
Clackamas, Oregon 97015

10. The Parties agree that this MOU may be expanded to include additional tasks by joint agreement.

11. IT IS UNDERSTOOD AND AGREED THAT CRW'S LIABILITY UNDER THIS AGREEMENT, WHETHER IN CONTRACT, IN TORT, UNDER ANY WARRANTY, IN NEGLIGENCE OR OTHERWISE, SHALL NOT EXCEED THE RETURN OF THE AMOUNT PAID BY <Insert Entity> AND UNDER NO CIRCUMSTANCES SHALL CRW BE LIABLE FOR SPECIAL, INDIRECT, CONSEQUENTIAL, OR PUNITIVE DAMAGES. THE PRICE STATED FOR THE SERVICES IS A CONSIDERATION IN LIMITING CRW'S LIABILITY. NO ACTION, REGARDLESS OF FORM, ARISING OUT OF THE TRANSACTIONS UNDER THIS AGREEMENT MAY BE BROUGHT BY <Insert Entity> MORE THAN ONE YEAR AFTER THE CAUSE OF ACTION HAS ACCRUED.

IN WITNESS WHEREOF, this Agreement has been executed as of the dates herein mentioned below.

<INSERT ENTITY>

CLACKAMAS RIVER WATER

By _____

By _____
Todd Heidgerken, General Manager

Dated: _____

Dated: _____

DRAFT

Attachment A: Analysis Price Sheet



Cyanotoxin Analysis Price List

ELISA Analysis	1 to 5 Samples	Additional Samples
<i>Regulated</i>		
Total Microcystin/Nodularins <i>EPA Method 546</i>	\$120	\$75
Cylindrospermopsin* <i>OR DEQ18-LAB-0050 Method</i>	\$120	\$75
<i>Unregulated</i>		
Anatoxin-A <i>OR DEQ18-LAB-0050 Method</i>	\$150	\$105
Saxitoxin <i>OR DEQ18-LAB-0050 Method</i>	\$150	\$105

**If cylindrospermopsin in finished drinking water is confirmed through repeat ELISA analysis samples will be subcontracted to Eurofins Analytical or OR DEQ (if available) for analysis via EPA Method 545.*

Prices are the same for raw and finished water samples.

Phone: 503-722-9241
Email: WQLab@crwater.com

Willamette Intake Facilities Commission

(This page intentionally left blank)

WIF COMMISSION STAFF REPORT

To: Board of Commissioners

From: Mike Britch, P.E., WWSP Engineering and Construction Manager

Date: July 29, 2019

Subject: Semi-annual update on the Willamette Intake Facilities (WIF) elements of the Willamette Water Supply Program's (WWSP) Raw Water Facilities Project

Requested Board Action:

Informational item. No Board action required.

Key Concepts:

- On a semi-annual basis, the WIF Commission will receive an update on the WIF-related elements of the RWF_1.0 project.
- This update will present the status of the bank stabilization design concept, the land use application status, the construction cost estimate, and the overall project schedule.

Background:

The RWF_1.0 project, which is part of the WWSP, includes upgrades to the WIF including replacing the screens, expanding the air burst system, and improving the seismic resiliency. This semi-annual update is intended to keep the WIF Board apprised of the regular progress being made on this project.

Our last update on this project was provided to the WIF Board at its January 2019 meeting. That update included information regarding the construction cost, the bank stabilization design, and the overall project schedule status. Following that presentation, there was discussion regarding the design of the bank stabilization seismic improvements. Staff committed to the Board to follow up on the discussion at this July project update.

Since the January 2019 update, the 70% design has been completed. Program staff, owner agency staff, and the CM/GC Contractor (Kiewit) conducted a value engineering review of the 70% design. Updates since January include confirmation that the tie-back retaining wall at mid-slope can be eliminated without jeopardizing the desired performance in the event of a major seismic event. Additionally, the team has been exploring other, more cost-effective methods to bank stabilization (i.e., deep soil mixing in place of jet grout), and the total amount of welding required for the intake pipe joints has been optimized reducing the overall cost of that element.

This update will also explain the status of the land use application with the City of Wilsonville, the latest information on the estimated cost of the WIF-related elements, and the status of the overall project schedule.

Budget Impact:

None at this time. The Program team will be working with the contractor to critically vet its latest construction cost estimate, and then the effect on the anticipated construction cost of the WIF-related elements.


Staff Contact Information:

Mike Britch, PE; WWSP Engineering and Construction Manager; 503-941-4565; mike.britch@tvwd.org

Attachments:

None. Draft presentation slides will be delivered prior to the meeting.

Management Staff Initials:

General Manager		TVWD General Counsel	N/A
TVWD Chief Engineer	N/A	TVWD Chief Financial Officer	N/A

WIF COMMISSION STAFF REPORT

To: Board of Commissioners

From: Joel Cary, TVWD Water Resources Division Manager

Date: July 29, 2019

Subject: 2019 Oregon Legislative Update

Key Concepts:

- Several bills introduced during the 2019 Oregon Legislative Session could affect drinking water providers
- TVWD staff have engaged with the Legislative Assembly at various levels, including bills and budgets related to harmful algal blooms and cyanotoxins
- This informational update will summarize the status of selected bills as of sine die.

Background:

The 2019 Oregon Legislative Session Days began January 22 and ended on June 30 as scheduled. TVWD staff tracked and provided input on several proposed House and Senate bills related to drinking water providers. These efforts have been performed on behalf of the WIF Commission as the Managing Agency and its affiliation with the Oregon Water Utility Council (SDAO and LOC).

Joel Cary will provide a presentation at the July 29, 2019 WIF Board Meeting of the legislative actions that are most relevant to the WIF Commission including:

1. House Bill (HB) 3326. This was proposed by Representative Helm to address concerns related to harmful algal blooms and cyanotoxins. This bill would have provided the needed funding for the Department of Environmental Quality's lab to perform cyanotoxin analysis under newly adopted state rules. The Bill did not get out of Committee and died because of HB 5017.
2. House Bill 5017. This was the DEQ funding bill for the 19-21 Biennium and included funds for the accredited lab for cyanotoxin testing that was sought under HB 3326.
3. House Bill 2001. This is the middle housing bill (duplexes, triplexes, quadplexes, cottage clusters and townhouses) to achieve a mix of affordable housing and densities under local zoning regulations. The Bill started with changes to the timing and method of system development charge collection but those provisions were removed and replaced with a directive to the Department of Consumer and Business Services to study barriers that impact affordability and report to a Legislative Interim Housing Committee by January 1, 2020. HB 2001 was signed by the Governor with an emergency clause so it is currently effective. The impact of this Bill on the WIF members land use regulatory processes is beyond the scope of the WIF.
4. Senate Bill 27. Effective July 1, 2019, the Oregon Health Authority raised fees in part for laboratory analysis for safe drinking water.
5. Senate Bill 51 did not pass. This Bill was favored by OWUC as part of our combined efforts to obtain reauthorization and reallocation of the Willamette River Basin Storage Projects. This Bill would have given clear authorization to the Oregon Water Resources Department to process change of use applications for storage rights so that municipal use could be obtained for water in the Storage Projects. Irrigators and other interest groups wanted to make additional changes

which bogged down the bill and led to no action. This issue will return, most likely through a work group of interested parties.

Budget Impact:




There is no budget impact for the WIF. The costs of lab testing and other matters will be allocated to the individual members based upon the OHA and DEQ fees for individual water systems.

Contact information:

Joel Cary; TVWD Water Resources Division Manager; 503-848-3019; joel.cary@tvwd.org

Attachments: None

Management Staff Initials:

General Manager		TVWD General Counsel	
TVWD Chief Engineer		TVWD Chief Financial Officer	N/A