

City of Bend Infrastructure Advisory Committee (IAC)

December 13, 2010 IAC follow up to City Council regarding City's surface water project:

On December, 13, 2010, the IAC met with stakeholders and members of the public, some of whom have provided written questions and testimony to City Council regarding the surface water project. Those previous written stakeholder documents were distributed prior to the meeting, which the IAC reviewed. At the meeting, the stakeholders shared information and perspectives and responded to IAC questions. A list of the persons who participated in the discussions and their affiliations are attached. Following this discussion, the IAC discussed their views on the surface water project and requested that the following points be provided to City Council.

IAC position on surface water project:

- The majority of IAC members feel that City Council has made the right decision to move forward with the surface water project, for reasons provided below.
- One IAC member, Andy High, represented a minority position. He would like to have seen more in-depth surface water versus groundwater review, but acknowledged that it might not result in his supporting the groundwater only option in the end.

New Information:

- During the discussion, Tumalo Irrigation District (TID) representatives explained that the existing contract between TID and the City of Bend influences what happens to the City's surface water rights. According to TID representatives, if the City used its surface water rights to mitigate for additional groundwater use, which was proposed by some stakeholders, it could be in conflict with the TID and City contract. Based on the contract, if the City's changes how it uses its surface water rights, those rights would likely revert to TID during drought years to meet their customer needs, and not necessarily stay in-stream to improve habitat, water quality and minimum flows. TID's legal representative further stated there would be "protests" from the District if the City changed the way they do business with the District's water.

Additional IAC perspectives regarding value of surface water project:

- The IAC did not hear compelling reasons to go with an all groundwater system. They recognize that there are a lot of issues and questions that are difficult to explain and resolve for this type of complex project. The stakeholders asked good questions, but the City needs to move forward with their surface water project decisions.
- The upcoming value engineering, which some of the stakeholders applauded, provides an opportunity to continue to explore relevant questions that have been raised and look for opportunities to address some of the in-stream and habitat needs.
- The benefits of having a dual water supply continue to trump consideration of the issues and questions associated with moving to an all groundwater system.
- Economic development, land use and future growth need to be considered. Adequate additional water is needed in the future, and a dual water source provides the most reliability.
- Groundwater is not the “silver bullet” to solve the variety of in-stream and habitat issues. There are a variety of issues and concerns regarding groundwater that emphasize the value of having a dual source system, including:
 - Uncertainty regarding new regulations and issues that may affect groundwater use (e.g., new water quality and treatment requirements, limited use of wells due to new underground injection control regulations).
 - Potential for groundwater contamination that could require wells to be shut down.
 - New groundwater rights may not be as reliable as the current senior surface water rights that were established over seventy years ago. This is a complex issue that needs to be considered.
- The impact on rates and the cost to build new homes is important and needs to be considered. The surface water investment will provide benefit for longer than the 50 years considered in the analysis, which was too narrow.

Attachments: List of Discussion Participants

List of Discussion Participants

Tod Heisler, Deschutes River Conservancy

Ryan Houston, Upper Deschutes Watershed Council

Kimberly Priestly, WaterWatch

Bill Buchannan, Private Citizen

Terry Angles PE, (on behalf of Bill Smith) Angle Consulting Engineering

Craig Lacey, Native Fish Society