

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 15-05-12-07

IN THE MATTER OF REQUESTING THE
GOVERNOR TO DECLARE A DROUGHT
EMERGENCY FOR LANE COUNTY

WHEREAS, annual streamflows on the mainstem Willamette from snow pack, rainfall and stored water releases are 55% of normal and therefore insufficient to fully support public uses in streams and lakes; and

WHEREAS, the definition of "public uses in streams and lakes" includes fish protection, pollution control and recreational use; and

WHEREAS, restricting water rights to natural streamflows for two businesses in the construction industry in order to retain minimum flows for public instream uses would cause irreversible economic harm to the two businesses and, create financial hardship for their approximately 200 employees and their families through potential layoffs; and

WHEREAS, Lane County has activated its "Emergency Operations Plan, Section ESF 7.2 Legal Services, Mitigation Phase" which provides legal advice to the Policy Group of Lane County to "advise and recommend county ordinance or orders to reduce the effects of disaster"; and

WHEREAS, the Oregon Water Resources Department may exercise emergency water rights authority following a Governor's drought declaration to help industry in Lane County cope with low streamflows; and

WHEREAS, we find that appropriate response is beyond the capability of Lane County because Lane County does not have the same authority as the Oregon Water Resources Department for addressing water rights which is the only remedy for this drought emergency.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. A local drought emergency is declared within Lane County.
2. Pursuant to ORS 401.165 we are declaring a state of emergency for the purpose of protecting local economy through the Oregon Water Resources Department's authority to mitigate the impact of low streamflows on the Willamette mainstem.
3. Pursuant to ORS 401.165 that the Governor declare an emergency so that state assistance may be immediately released.

ADOPTED this 12th day of May, 2015.

APPROVED AS TO FORM

Date

5-6-15

LANE COUNTY OFFICE OF LEGAL COUNSEL



Jay Bozievich, Chair
Lane County Board of Commissioner