



MEMORANDUM

PREPARED FOR: AR LL-1912 application file and City of Beaverton

PREPARED BY: Jen Woody, Hydrogeologist

SUBJECT: AR LL-1912 Application is complete

DATE: 8/10/2022



Expires 12/31/2022

Background

The City of Beaverton submitted an application for AR LL-1912 on 12/13/2021. The proposed project includes injection testing at one well located in a Columbia River Basalt Group Aquifer in the Cooper-Bull Mountain Critical Groundwater Area. The project is targeting the same aquifer system used for ASR projects by the City of Beaverton, the Joint Water Commission and Tualatin Valley Water District. These existing ASR projects are authorized to store up to 5.1 Billion Gallons cumulatively; this project would add another 50 MG. LL-1912 proposes to use treated stormwater as the source water. This review addresses AR-related topics. The reviewer defers to OWRD's Water Rights Section to make final determinations regarding source water availability.

OWRD completeness comments (contact is Jen Woody: Jennifer.L.Woody@water.oregon.gov):

These comments are informational and do not require action to reach application completeness.

690-350-0120(3)(a) Instream water right required. Diversion is within Fanno Creek Water Availability Basin (Watershed ID 73543), which has an instream requirement of 2.5 cfs year-round.

690-350-0120(3)(b) Water Quality permit from DEQ. According to recent discussions with DEQ staff in the UIC program, a 1200-U permit is required instead of a UIC rule authorization. Per DEQ letter dated 7/29/2022, stormwater injection at Sterling Park under OWRD's LL-1912 is covered by WPCF General Permit 1200-U # WG EN12U-OR12U0009. This permit expires on November 30, 2025.

690-350-0120(3)(c) Purpose of recharge. The stated purpose is to later recover for irrigation and streamflow enhancement. LL's for AR Recovery with the beneficial use of irrigation can only be issued for one year. Streamflow enhancement may be licensed for more than one year. The applicant may want to separate recovery authorizations into two AR LLs for this reason.

690-350-0120(3)(d) Annual storage: Defined as a maximum of 50 million gallons.

690-350-0120(3)(f) Hydrogeologic Feasibility Report

Water Levels in the Cooper Bull Mountain Critical Groundwater Area have recovered to near historic highs under the combined influence of ASR projects. The addition of another ASR system raises the very real

possibility that TVWD, Joint Water Commission and Beaverton may need to coordinate in the future to manage maximum storage volumes to some level that minimizes loss to the surface.

690-350-0120(3)(g) Project Description Report.

1. Water Quality monitoring plan has been approved by DEQ.
2. Totalizing flowmeters will be required at the well heads to meter volume injected and volume recovered at each well.
3. Water level monitoring plan is approved for the purpose of testing. If the project advances to a permit, key wells and target water levels, as defined in OAR 690-350-0120 (5)(e) must be defined to determine the recoverable percentage of water. Testing during the LL phase should be designed to define these aspects of a more permanent authorization.

Assuming one month between submission of an LL for AR Recovery application and issuance is unrealistic. Plan at least 2 months for the Department to process an AR LL.

Please note extensions are unavailable for AR LL's. After 5 years a new application is required to obtain another AR LL. Alternatively, if testing is conducted up to the maximum rates and volumes required by the project, applications for an AR Permit and Secondary Groundwater Right may be submitted.

DEQ comments/requests for information: contact is Seth Sadofsky: Seth.Sadofsky@deq.oregon.gov

Per email correspondence, Seth Sadofsky at DEQ reviewed this application for AR related issues and found it complete and acceptable on 1/27/2022. Additional comments from Peter Markos (DEQ) may have been sent to LL-1912 file directly.

ODFW comments/requests for additional information: contact is Danette Faucera danette.l.faucera@odfw.oregon.gov

ODFW submitted comments to OWRD on 2/24/2022. See LL-1912 file.

AR-related Conditions to be included in LL- 1912, if it is issued:

1. Before water use may begin under this license, the licensee shall install a totalizing flowmeter to record injection volume at the AR well head. The totalizing flowmeter must be installed and maintained in good working order. In addition, the licensee shall maintain a record of all water use, including the total number of hours of diversion, the total volume diverted, and the categories of beneficial use to which the water is applied. During the period of the limited license, the record of use shall be available for review by the Department upon request, and shall be submitted to the Watermaster upon request. This record shall include the amount of water diverted from the stormwater treatment plant output and the amount delivered to each injection well.
2. The licensee is required to provide a written annual report by February 15th of each year. This report will detail recharge testing and any subsequent recovery under a secondary limited license from the preceding water year. Reporting shall include, but is not limited to, the results of testing efforts that relate to water quality, water quantity, and operations. Water level data shall be submitted in a Department-specified digital format. The licensee shall consult with ODEQ and OWRD to identify additional specific reporting elements. The first report is due in February 2023.
3. The licensee shall adhere to the current, approved test and monitoring plan. A revised, superseding plan may be submitted to the Department at any time. The Department may approve, condition, or reject such plans.

4. The licensee shall comply with all ODEQ water quality standards and permitting requirements. If monitoring data or other information result in identification of potential water quality concerns, ODEQ may seek modifications to the monitoring and test plans and/or require a permit of its own to address the water quality concerns prior to resumption of artificial groundwater recharge testing.
5. Failure to meet the conditions of the license to the satisfaction of the Department will lead to a cancellation of the limited license, in which case it would no longer be in force.
6. The licensee shall conduct recharge testing as proposed in the application and later amended by the licensee, and as otherwise conditioned herein.



Oregon

Kate Brown, Governor

Department of Environmental Quality

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TTY 711

07/29/2022

Brian Diaz
Sterling Park ASR-3 Injection Well
PO Box 4755
Beaverton, Oregon 97076

Re: Registration Under WPCF General Permit 1200-U
Class V Stormwater Underground Injection Control Systems
Permit Number: WGEN12U-OR12U0009
Site: Sterling Park ASR-3 Injection Well
County: WQ – Washington

Dear Brian:

The Oregon Department of Environmental Quality (DEQ) has completed review of your application (21409) and is approving coverage under the Water Pollution Control Facility General Permit (1200-U) for stormwater underground injection control (UIC) systems. Please be aware that you will be assessed an annual fee for each additional year of registration under the permit as well as for each high-risk UIC that you maintain and operate.

This statewide permit expires November 30, 2025.

Important Permit Provisions

Please review the permit carefully. You are required to follow all applicable permit conditions. The following permit conditions may require you to notify DEQ:

- You must report any spill of hazardous materials or petroleum products, or other noncompliant incident, that may endanger health or the environment within 24 hours from the time of the incident by notifying Oregon Emergency Response System at 1-800-452-0311. You must also notify the DEQ UIC Program in writing within five days of the spill. Information about OERS is available online at: <https://www.oregon.gov/oem/emops/Pages/OERS.aspx>.
- If you discover an existing UIC, install a new UIC, or decommission (close) an existing UIC, you must submit an updated inventory to DEQ (inventory requirements are provided in Schedule B.1). You must decommission UICs in accordance with the "Closure of an Injection System" fact sheet, available online at: <https://www.oregon.gov/deq/wq/wqpermits/Pages/UIC-Fact-Sheets-and-Guidance.aspx>
- If any UIC that you own/operate is located within the horizontal setbacks shown in Table 2 of the permit, you must take the action identified in Schedule A.7a if it applies to your facility, and any additional actions identified in Schedule A.7b through A.7d as required to protect groundwater quality or demonstrate that it is already protected. You must obtain written approval from DEQ that the action(s) you take are sufficiently protective of groundwater quality.

Legal Owner Responsibilities

If legal responsibility shifts from the present registrant (you) to another owner, this permit must be transferred to the newly responsible party. The application and fee associated with the name change or permit transfer must be submitted to DEQ. The permit transfer form is available the Your DEQ Online applicant account.

Please check the DEQ website at: <https://www.oregon.gov/deq/wq/wqpermits/Pages/UIC.aspx> for other forms or information. If you have any questions about this permit, please contact the UIC program Senior Hydrogeologist, Kevin Weberling at (503) 229-6371 in our Northwest Region Office or by e-mail at kevin.weberling@deq.oregon.gov.

Sincerely,



Kevin D. Weberling, RG

UIC Senior Hydrogeologist
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