

WATER RESOURCES COMMISSION  
MEETING  
SEPTEMBER 9, 1994  
SALEM, OREGON

MEMBERS

Cliff Bentz  
John Frewing  
Nancy Leonard  
Anita Johnson  
Mike Jewett

STAFF

Martha Pagel  
Steve Sanders  
Diane Reynolds  
Cindy Smith  
Rick Bastasch  
Becky Kreag  
Barry Norris  
Tom Kline  
Rob Carter  
Tom Paul  
Reed Marbut  
Fred Lissner

OTHERS

Wayne Johnston  
Jan Boettcher  
Dave Duncan  
Phil Matson  
Ron Yockim  
Pete Test  
Todd Heidgerken  
Harry Spencer  
Douglas Spencer  
Karen Russell  
Mike Walker  
Ladd Henderson  
Kimberley Priestley  
Bob Hall  
Marjo Nelson  
Stephanie Burchfield  
Brooks Koenig  
Jim Myron  
Doug Myers  
Marion Millard

Scott Ashcom  
Jerry Schmidt  
Kip Lombard  
Sue D'Agnese  
Donald Still  
Mary Jo Lundsten  
Gordon Hanna  
Emily Doss  
Keith Mills  
Dave Michael  
Steve Tandy  
James Murch  
John Herring  
Susan Schneider  
Cam Gilmour  
Edward Schultz  
Earl VanVolkinburg  
Roger Bachman  
Stephen Warnock

In addition to the individuals listed above, report authors and other staff were present for particular agenda items.

The reports presented at this meeting, which contain the Director's recommendations mentioned in these minutes, are on file in the office of the Director of the Water Resources Department, 158 12th Street NE, Salem, Oregon 97310. Written information submitted at this meeting is hereby made a part of this record and is on file at the above address. Audiocassette recording tapes of the meeting are also on file in the Water Resources Department office.

A. APPROVAL OF COMMISSION MINUTES

A motion was made by Commissioner Jewett and seconded by Commissioner Johnson to approve the minutes as submitted. The motion passed unanimously.

B. COMMISSION COMMENTS

Commissioner Frewing - Expressed concern over Commission action on the Port of Portland request at the July meeting held in La Grande. Considering the strict meaning of "municipal" he questioned whether they should have been granted a municipal permit; however he was not asking that the issue be reconsidered at this meeting.

Commissioner Frewing complimented the Department staff on the water availability project.

C. DIRECTOR'S REPORT

Director Pagel gave a summary of the previous day's work session.

Director Pagel stated that the Department had been granted a productivity improvement loan from the Department of Administrative Services for the improvement of the Department's phone system. The Department plans to institute a voice mail system.

A brochure is now available that explains the types of services that are provided by the Department.

The Department's Communication Work Group is working with the water rights staff to improve the usefulness and readability of forms and letters used in the application process.

The Department has submitted the draft budget document to Department of Administrative Services.

Steve Sanders, Assistant Attorney General, reported on the status of ongoing court cases.

Commissioner Frewing asked about the status of the water right backlog. Director Martha Pagel reported that the Department is moving toward an eight-month waiting period for the processing of a technical review. The goal is to achieve this processing time by the end of the biennium (June 1995). The Department also plans to finish 1600 technical reviews by the end of 1994. A management consultant was hired to see if the Department is getting the maximum production out of the system.

Pagel reported that the Governor has appointed Penny Harrison and Tyler Hansell to fill the two vacancies on the Commission. These appointees will be presented to the Senate for confirmation September 14.

At the request of Director Pagel, Barry Norris offered a briefing on drought conditions and responded to Commissioners' questions.

Director Pagel called forward Doug Parrow, Resource Management Division, to report on basin planning and to ask for an extension of permit 50957. Parrow reported that the Department had invited a number of organizations to designate members of a Rules Advisory Committee on Basin Planning. He said that staff had scheduled the first three meetings of the committee to expedite the work of the committee. Parrow said the Department hoped that the committee's work would be completed by December, but was prepared to extend the work if necessary to resolve the concerns which had been expressed about the basin planning proposal. Parrow invited the Commission members to attend the advisory committee meetings.

Parrow presented a proposed order providing for a 30-day extension of permit 50957 held by the Grants Pass Irrigation District. He said the current permit is scheduled to expire on October 1, 1994. Staff proposed a short-term extension to allow the Commission to consider whether the district has satisfactorily complied with the conditions of the permit during the October meeting in Medford. Staff recommended approval of the order.

Karen Russell, WaterWatch of Oregon, said that WaterWatch had been involved in the Grants Pass Irrigation District permit process for the last five years and supports the order. Mark 305, Tape 1.

A motion was made by Commissioner Johnson and seconded by Commissioner Jewett to approve the proposed order. The motion passed unanimously.

D. REQUEST FOR AUTHORIZATION FOR A HEARING ON DRAFT RULES FOR ALLOCATION OF CONSERVED WATER (DIVISION 18)

Doug Parrow, Manager, Conservation/Basin Planning Program, requested authorization to conduct a rulemaking hearing on Division 18.

Legislation amending the statutes governing the allocation of conserved water passed in 1993. Because of the amendments, the associated administrative rules are no longer consistent with the statutes. Staff worked with two rules advisory committees to draft amended rules. After preparation of the staff report, the Conservation Advisory Committee reviewed the draft rules. The consensus of the committee was that the Commission should proceed with hearings on the rules. However, the committee members did suggest several changes in the draft rules. Staff presented an addendum to the staff report which identified proposed changes in the draft rules based on the committee's review.

DIRECTOR'S RECOMMENDATION

The Director and staff recommended that the Commission authorize hearings in Bend and Hermiston on the revised proposed rules for allocation of conserved water.

Commissioner Frewing requested the addition of language to the draft rules to ensure that a new use of conserved water is used for a beneficial use.

Karen Russell, WaterWatch of Oregon, said that she would support creation of a process to ensure that the water right holder is not disadvantaged by an erroneous calculation of how much water would be needed for the uses of the original water right. She suggested use of a period of time before completion of a project to test the performance of a conservation project. Russell said that WaterWatch also is concerned about the inclusion of operation and maintenance in the cost of conservation projects. Mark 134, Tape 2.

Dave Duncan, US Bureau of Reclamation, said that he had been working with water users to plan conservation projects. He said that few water users have been willing to consider the allocation process and that additional incentives are needed. Duncan said that he generally likes the provisions of the draft rules and expressed support for inclusion of operations and maintenance in the project costs. He also said that the opportunity to adjust the amount of conserved water in the draft rules provided a good safety valve. Mark 270, Tape 2.

Roger Bachman, Oregon Trout, complimented staff on the draft rules. He said the most important thing that can be done with the rules is to reduce the amount of fear, uncertainty and doubt among water users about the allocation process. He said that he had previously questioned the inclusion of operations and maintenance in project costs, but that he would continue to evaluate that issue. Bachman suggested three hearings on the rules. Mark 341, Tape 2.

Jan Boettcher, Oregon Water Resources Congress, supported authorization of hearings on the rules. She said a period of up to five years should be provided to adjust the quantity of conserved water to be allocated. Boettcher said that practical experience is needed with the allocation process. Boettcher added that it is common practice to include operation and maintenance costs in the funding of projects. Mark 387, Tape 2.

Parrow suggested that OAR 690-18-062 (3)(a)(B) be modified as follows: "A description of the type of beneficial use of the water;" and said that the staff could conduct hearings in Bend, Hermiston, and Salem.

A motion was made by Commissioner Johnson and seconded by Commissioner Frewing to authorize hearings in Bend, Hermiston, and Salem on the draft rules as amended in the addendum to the staff report and with the modification to OAR 690-18-062 (3)(a)(B). The motion passed unanimously.

E. REQUEST FOR ADOPTION OF WATER MANAGEMENT AND CONSERVATION PLANNING RULES (OAR CHAPTER 690, DIVISION 86)

Doug Parrow, Manager, Conservation/Basin Planning Program, asked for adoption of the proposed rules for water management and conservation plans.

The discussions of rules implementing water management and conservation planning requirements have been extensive. Three hearings on the proposed water management and conservation rules were held in July 1994. Staff reviewed the public comments received during the hearings process and made changes in the proposed rules.

The proposed rules do not require preparation of plans by major water users and suppliers as was contemplated when the policy was adopted in 1990. However, the proposed rules do establish a planning process which will help to identify feasible water conservation and supply options. The rules will provide standards



for preparation of plans required under permit conditions and for irrigation districts proposing voluntary transfers under legislation passed in 1991.

The proposed rules represent an important step forward in improving conservation planning in the state. The rules include an evaluation of the planning process in three years and consideration of requiring the submittal of plans by additional entities. Adoption of the proposed rules would allow the Department to move from rule writing to working more closely with water users and suppliers in conservation planning.

#### DIRECTOR'S RECOMMENDATION

The Director and staff recommended that the Commission adopt the proposed rules.

Commissioner Frewing said that the rules have too many escape clauses and provisions for non-enforcement, but that the Department needs to start somewhere. He said that he is supportive of getting some experience with water conservation planning.

Karen Russell, WaterWater of Oregon, opposed proposed changes which limit the opportunity for public comment on all parts of conservation plans. She also expressed concern that interested parties not be shut out from Department efforts to resolve issues involved in an appeal of a plan. Mark 675, Tape 2.

Jan Boettcher, Oregon Water Resources Congress, said that she had no objection to changes in the proposed rules to allow for public comments on the plans. She opposed moving all plan approvals into contested case proceedings. The Department should represent the other parties in negotiations with districts on proposed plans. She said that contested cases on the plans would be expensive and time-consuming. Mark 842, Tape 2.

Staff recommended that the proposed rules be changed by replacing the reference in OAR 690-86-910 (2) to "OAR 690-86-140 or 690-86-240" with a reference to "OAR Chapter 690, Division 86" and by modifying the last sentence of OAR 690-86-910 (12) as follows: "The Commission may deny the appeal or may accept the appeal and remand the plan to the Department to seek resolution of the issues identified in the appeal and, if the issues are not resolved, to initiate a contested case proceeding pursuant to ORS 183.413 and OAR Chapter 690, Divisions 1 and 2."

Commissioner Frewing proposed that the period for review of the rules described in OAR 690-86-010 (1) be changed from "in three years" to "within two years."

A motion was made by Commissioner Leonard and seconded by Commissioner Frewing to adopt the proposed rules with the above changes. The motion passed 4-1. Commissioner Mike Jewett opposed.

F. CONSIDERATION OF APPLICATION G-12742 SUBMITTED BY DON MONTGOMERY FOR USE OF GROUNDWATER FROM THE DESCHUTES RIVER BASIN FOR IRRIGATION AND MAINTENANCE OF A POND FOR RECREATION

Reed Marbut, Water Rights Administrator, and Steve Brown requested the Commission deny the protest filed against Application G-12742 and find that issuing a permit for the application, modified by the addition of certain conditions, will not impair or be detrimental to the public interest.

Application G-12742 to appropriate 0.142 cubic foot per second (cfs) of water from one well for irrigation of 10.0 acres and maintenance of a pond for recreation in the name of Don Montgomery was filed on December 27, 1991. WaterWatch of Oregon (WaterWatch) protested the Water Resources Department's denial of objections to the Satisfactory Report of Technical Review. The Water Resources Commission is required to review applications in which a protest has been submitted (OAR 690-11-185[2]).

The land to be served by the proposed use of water is approximately 14 miles north of Bend and four miles west of Redmond, Oregon. The proposed well would be located approximately 550 feet from the Deschutes River. The Deschutes River downstream from the proposed use of water was designated a State Scenic Waterway in 1987 and 1988. The applicant proposes to construct the well in a manner to prevent potential interference with the Deschutes River State Scenic Waterway.

DIRECTOR'S RECOMMENDATION

The Director and staff recommended Alternative 1: that the Commission find that the proposed groundwater use as described in Application G-12742, as modified by addition to the conditions set out in the denials of objections and included in the staff report, will not impair or be detrimental to the public interest, and authorize the Director to issue the permit with appropriate conditions.

Don Montgomery, applicant, explained that several thousands of dollars have been invested and he would like to get started before the cold weather sets in. Mark 427, Tape 3.

Karen Russell, WaterWatch, expressed concern about interference. She would like the conditions amended to show rate. Russell also had concerns about beneficial use and economic use. Mark 360, Tape 4.

Marion Millard expressed the need to have a moratorium on well permits until the Deschutes Basin study is completed. Mark 466, Tape 4.

After much discussion, a motion was made by Commissioner Frewing and seconded by Commissioner Johnson to defer the item until such time that legal counsel can consult with technical staff and analyze the requirement for a reservoir permit, the conditions proposed to be added, and the requirement or our ability to make a Diack finding on our understanding of the technical aspects of this well. The motion passed unanimously.

#### G. PUBLIC COMMENT

Chair Bentz noted the Commission had received correspondence from Phyllis Riffice and Jean Vowell expressing concern about the groundwater situation in Bonanza. Copies of the letters were placed on the information table for the public.

Roger Bachman, Oregon Trout, commented that at the last Commission meeting he had reported on some diversions near La Grande from Ladd Creek. The diversions are owned by the state but lack a headgate and/or a measuring device. He spoke with staff of the Dept. of Fish and Wildlife and they have promised to take care of this. Mark 280, Tape 6.

Stephanie Burchfield, Department of Fish and Wildlife (F&W), stated that the La Grande F&W region is installing monitoring and measuring devices. Burchfield added that fish screens are or will be installed in all F&W diversions. Mark 290, Tape 6.



H.1 CONSIDERATION OF APPLICATION G-12692 SUBMITTED BY STEPHEN D. WARNOCK FOR USE OF GROUNDWATER FROM THE SOUTH COAST BASIN FOR AGRICULTURAL USE (CRANBERRY OPERATIONS AND IRRIGATION)

Steve Brown, Water Rights, recommended that the Commission find that issuing the application for this proposed use of water, modified by the inclusion of certain conditions, would not impair or be detrimental to the public interest.

Application G-12692 proposes the use of groundwater from three wells and two sump wells in the South Coast Basin. The application proposes the use of 1.467 cfs (658.6 gallons per minute or gpm) of water from three wells and two sump wells, being 1.455 cfs (653 gpm) for cranberry use on 20.0 acres and 0.012 cfs (5.6 gpm) for irrigation of 1.0 acre. A Satisfactory Report of Technical Review was issued on February 16, 1993. WaterWatch filed objections to the proposed use of water. The Director denied the objections. WaterWatch filed a protest to the denial of objections. Consistent with OAR 690-11-185(2)(g), any application for which a protest has been filed must be reviewed by the Commission.

DIRECTOR'S RECOMMENDATION

The Director and staff recommended Alternative 1: that the Commission find that the proposed groundwater use as described in Application G-12692, as modified by addition of the conditions set out in the denials of objections and included in the staff report, will not impair or be detrimental to the public interest, and authorize the Director to issue the permit with appropriate conditions.

Karen Russell, WaterWatch, expressed the same concerns that she had with the Agenda Item H.2. (Agenda Item H.2 was considered by the Commission before H.1.) Russell requested the same measurement and reporting condition as placed on the Spencer application. She also requested adding an interference condition that would allow the staff to regulate if there is interference with surface water that is harming instream values. Mark 178, Tape 6.

Kip Lombard, representing Steve Warnock, had the same comments as he did for the Spencer application. However, in this application because of the distance from the stream the applicant does not have a presumption to overcome. This application should be considered separately from the others since the Department's technical staff have found there is no potential for substantial interference. Mark 203, Tape 6.

Kip Lombard, representing Mr. Spencer, emphasized that the technical staff of the Department concluded there is no potential for substantial interference, and that's the rule. WaterWatch and BLM have been concerned primarily about surface water conditions – the Spencer wells will not have an impact on those surface waters. Mark 546, Tape 5.

A motion was made by Commissioner Leonard and seconded by Commissioner Jewett to approve the Director's recommendation with modification of the measuring and reporting condition. The motion passed 4-1. Commissioner Frewing opposed.

I. REQUEST FOR ADOPTION OF AMENDMENTS OF PUBLIC INTEREST STANDARDS FOR NEW APPROPRIATIONS WITHIN THE COLUMBIA/SNAKE BASIN ABOVE BONNEVILLE DAM, OAR CHAPTER 690, DIVISIONS 11 AND 33

Bob Rice, Resource Management Division, requested adoption of amendments to Division 11 and 33.

In 1991 and 1992, Snake River salmon were listed under the Endangered Species Act. On July 17, 1992, the Commission directed staff to delay processing most new water use permit applications upstream of Bonneville Dam in the Columbia Basin pending development of a strategy to respond to the listing. The Commission reviewed a proposed strategy in June 1993. In August 1993, the Department held six public workshops to obtain public views on the proposal and discuss possible water management options.

In December 1993, the Governors of Oregon, Washington, Idaho and Montana endorsed the Northwest Power Planning Council's Fish and Wildlife Program as the starting point for recovery. In January 1994, the Commission adopted a 5-point interim Columbia/Snake strategy. One element of the strategy was to undertake rulemaking to ensure protection of listed stocks as part of the public interest factors considered in review of new water right applications. A rules advisory committee assisted staff in developing the proposed rules. In April 1994, the Commission authorized staff to conduct rulemaking hearings. Four hearings were held in June 1994.

Staff and Commission recommended the following amendments to the proposed rules presented in the staff report:

690-33-120

(2) The applicant shall provide information to show compliance with the following standards which will form the basis for permit conditions:

~~(2) In Addition to OAR 690-33-120(1), the Director shall consider whether the proposed use meets the standards in subsection (a) to (c) of this section. Upon request, the applicant shall provide information to address these standards:~~

(b) The proposed use does not involve hydraulically connected groundwater with potential for substantial interference as listed in Division 9 during the time period of April 15 to September 30, except that which is artificially recharged or as otherwise provided in OAR 690-33-140;

~~(3) Based on the consultation in OAR 690-33-120(1), the proposed use may be further conditioned so that, if the riparian area is disturbed in the process of developing a point of diversion, the riparian area is restored or enhanced. at the point of diversion, riparian vegetation is retained, restored or enhanced.~~

(4) If a proposed used is not consistent with the Fish and Wildlife Program, the applicant may propose mitigation compatible with OAR 690-33-120(2) and (3). The Director shall ~~may~~ determine if the proposed use with mitigation is consistent with the Fish and Wildlife Program. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

690-33-130

~~(1) If the fish and wildlife agencies' flow management objectives cannot be achieved because of differing requirements between fish species in the management area, the Department shall consult with the affected fish and wildlife agencies and the appropriate Indian tribes to assist in resolving the flow management conflicts.~~

## Exemptions

### 690-33-140

(1) Notwithstanding OAR 690-33-120(2)(a) and (b), the Director Commission may approve a water right permit for:

#### DIRECTOR'S RECOMMENDATION

The Director and staff recommended that the Commission adopt the revised rules.

Jim Myron, Oregon Trout, expressed concern regarding the exemptions to the seasonal flow constraints. Mark 71, Tape 7.

A motion was made by Commissioner Leonard and seconded by Commissioner Johnson to approve the recommended amendments to the rules. The motion passed unanimously.

A motion was made by Commissioner Jewett and seconded by Commissioner Leonard to approved the Director's Recommendation. The motion passed unanimously.

J. REQUEST FOR AUTHORIZATION TO CONDUCT RULEMAKING HEARINGS ON PROPOSED AMENDMENTS TO OAR 690, DIVISION 200 (WATER SUPPLY WELL CONSTRUCTION AND MAINTENANCE) AND DIVISION 240 (CONSTRUCTION MAINTENANCE AND ABANDONMENT OF MONITORING WELLS AND OTHER HOLES IN OREGON) TO MODIFY THE DEFINITION OF MONITORING WELL WHICH AFFECTS REGULATION OF MONITORING WELLS, GEOTECHNICAL HOLES AND OTHER HOLES

Marc Norton, Technical Services Division and Rob Carter, Field Services Division, requested authorization to conduct rulemaking hearings on Divisions 200 and 240.

The proposed changes to the monitoring and water supply well construction rules are the result of the continued effort to protect groundwater. Piezometers and observation wells, constructed to gather hydrologic data, would be elevated from the "other hole" classification to monitoring well status in order to be consistent with statutory guidance. Certain temporary holes such as push point temporary holes (hydropunch and cone penetrometer) would no longer be considered as

monitoring wells. A subset of "other holes" has been created to more effectively regulate certain types of Geotechnical Holes which have a potential to lead to groundwater degradation or waste.

#### DIRECTOR'S RECOMMENDATION

The director and staff recommended that the Commission give authorization to file a notice with the Secretary of State, send public notice and hold public hearings on the proposed rules.

Brooks Koenig, Department of Environmental Quality, testified that the modifications allowed for proper regulation of wells according to statutory requirements. In addition, he supported moving "temporary holes" into the Geotechnical Holes classification. Mark 211, Tape 8.

Cam Gilmour, Oregon Department of Transportation, indicated that while his agency has some fiscal and legal concerns with the proposed rules, he supported the spirit of the rules. He felt that the two agencies could resolve any discrepancies prior to the rulemaking hearings. Mark 244, Tape 8.

Dave Michael, Association of Engineering Geologists, indicated to the Commission that his group does not support the rules as written. He suggested that statutory change should be initiated in order to properly allow registered professionals to take responsibility for geotechnical holes. Mark 282, Tape 8.

A motion was made by Commissioner Johnson and seconded by Commissioner Jewett to approve the Director's recommendation. The motion passed unanimously.

#### K. INFORMATION REPORT ON THE DEPARTMENT'S STRATEGIC PLAN AND LEGISLATIVE AND BUDGET PROPOSALS

This item was deferred to the October meeting in Medford.

#### L. INTEREST GROUPS' PRESENTATION OF LEGISLATIVE CONCEPTS

This item was deferred to the October meeting in Medford.



M. CONSIDERATION OF PETITION TO AMEND THE WILLAMETTE BASIN PROGRAM, OAR CHAPTER 690, DIVISION 502, TO RESTRICT FURTHER APPROPRIATION OF GROUNDWATER, INCLUDING EXEMPT USES, IN THE SOUTH SALEM HILLS GROUNDWATER LIMITED AREA AND TO REQUIRE THE DEPARTMENT TO ASSERT ITS COORDINATION AUTHORITY THROUGH INTERVENTION IN A MARION COUNTY LAND USE ACTION

Doug Parrow, Conservation/Basin Planning Program Manager, briefed the Commission on the consideration of the petition to amend the Willamette Basin program.

The Department received a petition for rulemaking to amend the Willamette Basin program and to require the Department to assert its coordination authority and intervene in a land use action before Marion County. The Commission was required to act on the petition on or before September 22, 1994.

Staff concluded that a more appropriate forum is available to address the groundwater issues raised in the petition. The forum is Marion County's land use review process for the Chinook Estates subdivision. The Department has maintained party status in the County's process and intends to continue working with the County and other interested parties to address the groundwater supply issues.

DIRECTOR'S RECOMMENDATION

The Director and staff recommended the Commission deny the petition to amend the Willamette Basin program. The Director and staff also recommended the Commission deny the request that the Department intervene in the Marion County land use action as proposed in the petition. The Director and staff proposed the Department continue to participate in the matter through the Marion County review process by providing comments and technical assistance to the County and by working with all parties to attempt to address groundwater supply concerns within the Chinook Estates subdivision and in general throughout the County.

Steve Tandy, Developer, testified he has lived in Chinook Estates for 22 years. He has been involved with intensive studies done in the area and plans to do develop 6-12 lots every 6 years. He spoke in favor of the staff recommendation. Mark 230, Tape 7.

Earl VanVolkinburg, petitioner, testified he operates a commercial vineyard and applied for a permit in 1992. He asked the Commission to look at exempt uses

in the area and disagreed with the staff recommendation. He asked the Commission to reconsider denying the petition. Mark 308, Tape 7.

Gordon Hanna, Chinook Estates, appeared on behalf of the Estates at a planning committee meeting when the replat of the existing subdivision was considered at Marion County. He testified in favor of the staff recommendation. Mark 423, Tape 7.

Edward Schultz, Chinook Estates, asked the Commission to let the Land Use Board of Appeals look at the land use process. He spoke in favor of the staff recommendation. Mark 459, Tape 7.

Mary Jo Lundston testified against the staff recommendation. She agreed with Earl VanVolkinburg and has concern that water isn't there. Mark 532, Tape 7.

Emily Doss disagreed with the staff recommendation. She is concerned about water availability. Mark 589, Tape 7.

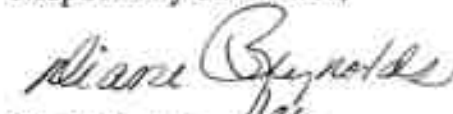
James Murch, Developer, agreed with the staff recommendation. Mark 595, Tape 7.

Don Still, Petitioner, testified there is a need to amend the Willamette Basin program to restrict further appropriation of groundwater, including exempt uses, unless, or until, it can be shown that additional uses will not adversely impact the groundwater resource. He disagreed with the staff recommendation. Mark 634, Tape 7.

A motion was made by Commissioner Frewing and seconded by Commissioner Jewett to accept the Director's recommendation to deny the petition and work with the County and all parties to attempt to address groundwater concerns. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
Cindy Smith  
Commission Assistant