

MEETING MINUTES  
GROUND WATER ADVISORY COMMITTEE (GWAC)  
July 27, 2007  
North Mall Office Building, 725 Summer St. N.E., Ste. A  
Salem, Oregon 97301

GWAC Members Present		Staff Present	Others
Paul Christensen	Greg Kupillas	Juno Pandian	Helen Moore
Lynne Paretchan (by phone)		Kim Grigsby	Bernie Newland
Tim Smith (by phone)		Kris Byrd	Peter Mohr
Jim Mack Sr (by phone)		Doug Woodcock	Gordon Rust
Merilyn Reeves	John Stadeli	Jerry Rodgers	Steve Schneider

I. Call to Order – Paul Christensen, Chair

II. Approval of Minutes for the 3/23/07 and 6/22/07 Meetings  
The Committee voted to approve the draft minutes.

III. Commission and Rulemaking Update

Kim Grigsby, Policy Analyst, said that rulemaking would be discussed later during the Pete's Mountain item but she had other Commission items to share. The Commission will have a retreat on August 29<sup>th</sup> to discuss implementation of the Water Supply and Conservation Initiative and other big picture matters. The Commission meeting on August 30<sup>th</sup> will consider exceptions to civil penalties on an illegal ground water use issue. It will also make public interest determinations on two ground water applications in the Umatilla Basin that are within the five-mile radius of cities criteria.

IV. Clarification and Discussion of Well Construction Policy on Casing Extensions

Paul Christensen, GWAC Chair, noted that this issue was discussed at the last GWAC meeting. Juno Pandian, Enforcement Section Manager, explained that there are three alterations that require a well to be brought up to current standards: deepening, adding casing, and adding seal. A well constructor is responsible for the entire well when these changes are made. Adding casing from land surface or above does not require current standards for the whole well, although it is an alteration. Special standards with additional information might be used for adding casing and seal from below land surface to above. This would occur when a well log is not available to otherwise confirm that current standards are met.

Jim asked about wells that are located in a pit with the casing cutoff below ground level. Bringing the casing up above land surface would improve the well by providing greater water quality protections. It is not attractive to the well constructor to become responsible for the entire well in this case. Paul said that creating obstacles to making such improvements will discourage them. Paul noted that the Department's policy for adding casing above ground is a change from that held in the past.

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Merilyn stated that older wells need to be upgraded and asked how it is that the casing issue comes to anyone's attention. John answered that it comes up when the land changes ownership and when there are pump problems. In both cases a well professional comes to the site. Merilyn would like to know more about the scope of the problem and any actual policy shift. In addition, the Department should make its policy better known to the industry.

Juno said that there needs to be a decision made at some point concerning casing addition and a well being in compliance with current standards. She expressed an interest in bringing this subject up at the next well drillers' technical committee meeting.

V. Consideration of Special Area Well Construction Standards for Pete's Mountain, Clackamas County

Doug Woodcock, Ground Water Section Manager, explained that a hearing was held on proposed rules on July 23<sup>rd</sup>, the record stays open for written comment until August 1<sup>st</sup>, and the Water Resources Commission is likely to consider the rule amendments on August 30<sup>th</sup>.

The proposed rules are considered for the purpose of obtaining better water level measurability in wells at Pete's Mountain. Deep static levels and some well problems combine to make proper assessment of the resource impossible. The proposed rules take two approaches: requiring new wells to be a minimum of 8" diameter and installation of dedicated water level measurement tubes in any new, altered, deepened, or converted wells.

At the hearing, the Department heard from well constructors, landowners, and developers. Basically, the testimony consisted of support for access into wells for measurements and measuring tubes but no support for new wells to be a minimum 8" in diameter. Additional testimony looked for authority over pump installers to require them to install measuring tubes with the pumps.

Paul asked how the Department expected that constructors would comply with the proposed rules. Doug said that constructors would build 8" diameter wells and install measuring tubes at time of construction. Beyond that, it would be the responsibility of the landowner to have a measuring tube maintained in the well. Paul suggested that the department get industry feedback regarding product type and other help with the problem.

Tim asked if the Department considered cost sharing with some landowners to pay the additional cost of 8" over the typical 6" diameter well. Doug said that the Department had not.

Greg said that rules should be enforced on pump installers as this will simplify the process

Jim asked why airlines in the wells were not being required. Doug answered that the data quality is often poor due to problems with airlines.

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Lynne didn't think that it was appropriate to give advice now. She suggested extending the comment period for everyone.

Merilyn said that the rules need a definition for the term dedicated measuring tube that they reference. She also thought that incentives would be valuable to gain the result of measurability.

John suggested that the Department is trying to go about this wrong. Stepping back and taking a different approach, even a statewide approach, is a better way.

Merilyn suggested that the Department go down a different path as there are too many technical issues with the proposed rules. A step back is appropriate.

Gordon Root, a local property owner, testified that as his acreage is developed it will have wells that are capable of supplying water level measurements for the Department's use.

Peter Mohr, consultant for some local homeowners, testified that there is a need for these rules but some technical issues need to be worked out. He talked further about water concerns and administrative actions in the area. His clients advocate revising the rules to make them better.

Bernie Newland, a local resident, cited water level declines and a lack of enforcement on overuse. He is frustrated with the county's lack of control over water in its decision-making. You can't study this forever. Decisions must be made.

Steve Schneider, well constructor and pump installer, said that 5-10% of the wells will probably need pump replacements each year and that is a good opportunity to effect access changes. This requires education and enforcement of existing rules but not new rules. Give the issue to the drilling technical committee to work out valuable details.

John moved that GWAC recommend that the Commission drop the proposed rules, send the issue to the technical committee, and bring their proposal back to GWAC.

Merilyn requested that the recommendation to the Commission also point out that the rules address a serious issue and that more work it needed to craft special area standards that work.

Both Greg and John declared that they have a possible conflicts of interest but those would not influence their votes

A motion was amended and subsequently unanimously approved as follows: We, as a Committee, make a recommendation to the Commission that the Department drop the proposed new rules immediately. Our Committee reviewed the summary of the hearing and is in agreement with WRD that water level measurements are needed in the special area on Pete's Mountain. We, therefore, recommend that through the technical committee new rules be drafted if necessary prior to coming back to GWAC.

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VI. Consideration of a Special Water Management Problem Area (SWMPA)  
Designation for Eola Hills Ground Water Limited Area, Polk County  
Doug Woodcock, Ground Water Section Manager, explained that a hearing is scheduled for August 1<sup>st</sup> to take testimony on ground water concerns from local residents. The Water Resources Commission directed the Department to hold a hearing to determine whether a serious water management problem exists. If that problem is determined, rulemaking would likely follow.

VIII. Public Comment  
No public comment was offered.

**Audio-files of the meeting are available.**