

MEETING MINUTES  
GROUND WATER ADVISORY COMMITTEE (GWAC)  
January 11, 2008  
North Mall Office Building, 725 Summer St. N.E., Ste. A  
Salem, Oregon 97301

GWAC Members Present		Staff Present		Others
Greg Kupillas	Merilyn Reeves	Doug Woodcock	Jerry Rodgers	Tammy Hendricks
Lynne Paretchan	Bob Jones	Donn Miller	Debbie Colbert	Judy Messner
Nitin Joshi	John Stadel	Kris Byrd	Juno Pandian	Gordon Root
Jim Mack Sr	Tim Smith	Brenda Bateman	Bob Devlydere	Don Nienke
Terry Daugherty (by phone)		Dwight French	Lloyd Van Gordon	John Messner
		Ivan Gall	Phillip Ward	Elaine Newland

**I. Call to Order** – Tim Smith, Vice Chair

Director Phillip Ward welcomed new and continuing members. He also spoke briefly about the upcoming legislative session, the Oregon Water Supply and Conservation Initiative, and the Sand Hollow Aquifer Recovery effort in Morrow and Umatilla Counties.

**II. Approval of Minutes for the 11/16/07 Meeting**

The Committee voted to approve the draft minutes as written.

**III. Introduction of New Member**

The Water Resources Commission recently appointed Terry Daugherty to a three-year term on the committee. Terry is a well constructor from Adrian, Oregon and is a principal in Riverside Inc. of Parma, Idaho. Terry is licensed in several states but his company drills mostly in Idaho and Oregon.

**IV. Election of Officers**

The committee elected Tim Smith as committee chair and Greg Kupillas as vice chair.

**V. Procedures & Protocols of State Appointed Committees**

Tammy Hendricks of the Oregon Standards and Practices Commission spoke to the committee about their roles on the committee. Much was said, but in brief she said that members were considered to be public officials. As such, members need to note conflicts of interest in writing (minutes suffice). Any financial gain is the red flag for this. Where there are conflicts, members should abstain from voting. Lynne said that financial gains by GWAC members seem limited since the committee has no jurisdiction over rulemaking.

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**VI. Update on Commission Action for Eola Hills Ground Water Limited Area, Polk County**

Doug Woodcock, Manager of the Ground Water Hydrology Section, presented this item. The Water Resources Commission authorized rulemaking on well construction for both this area and Pete's Mountain. There is a hearing scheduled for February 12<sup>th</sup> in Canby for Pete's Mountain and on February 8<sup>th</sup> in West Salem for Eola Hills. Written comments for both areas may be submitted by March 10<sup>th</sup>. The Commission will consider rule action at the May meeting. The proposed rules will be available on February 1<sup>st</sup>. Notwithstanding the exact rule language, Doug explained the proposed special area well construction rules. Their purpose is to assist in water level measurement in wells, largely through the use of dedicated drop tubes, and well construction standards to prevent commingling.

Previously, the Commission directed staff to pursue four action items for the area:

**Action Item A:** Special area well construction standards for new basalt wells, requiring them to be cased and sealed to within 100 feet of the bottom of the well. This will prevent commingling and the disruption of natural flow to springs.

**Action Item B:** Special area well construction standards to require water level measuring tubes in all new wells at time of pump installation or in existing wells at time of pump replacement. This will improve water level measurability at wells using standard water level measuring devices. There is currently a lack of water level data that is made difficult by access problems.

**Action Item C:** Develop a voluntary water use/water level reporting program for Eola Hills wells. This would require funding to educate local people to collect valuable water level data. This could be a pilot project for implementation elsewhere.

**Action Item D:** Continued Department water level monitoring in the area. This could include testing of wells to display well pumping impacts on springs.

**VII. Update on Department Action on Pete's Mountain, Clackamas County**

Doug Woodcock explained that this rulemaking effort is similar to that at Eola Hills. Water level measurement in wells needs to be improved. If rules are adopted, outreach will be part of the Department's effort to gain compliance. Start cards will prompt a measuring tube responsibility letter to the landowner. In addition, the Department will contact pump installers and articles will provide details.

Several individuals spoke about this item. Judy Messner was concerned that joining the rulemaking with Eola Hills could be a snag to adoption of Pete's Mountain rules. Doug said that he saw no problem that would hold adoption. Gordon Root provided a handout concerning his project and supported the proposed rules. Elaine Newland supports the proposed rules and said that new multiple wells are needed for data.

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**VIII. Department Ground Water Activities**

Various Department managers explained how their programs bear on the management of ground water. This was presented as an opportunity for all members to better understand the Department's activities.

Brenda Bateman is the new policy coordinator in the Director's Office. She explained the Oregon Water Supply and Conservation Initiative and provided a handout that included criteria for moneys and projects. She also provided copies of the Headwaters 2 Ocean (H2O) strategy document, having the primary goal of achieving sustainable water supplies and quality to benefit Oregon's people, communities, economy, environment and ecosystems, and fish and wildlife.

Jerry Rodgers, Administrator of the Technical Services Division, provided the agency's organizational chart and explained how the division houses a number of sections, including the Ground Water Section. He places an emphasis on the importance of ground water.

Juno Pandian, Manager of the Enforcement Section, explained the various well issues in the section that include well construction, well constructor licensing, well logs, and water right cancellations. As a follow-up from a previous meeting, she explained that well construction start cards are held confidentially per a Department of Justice letter. Greg asked about the possible regulation of pump installers and raised this topic as a future agenda item.

Debbie Colbert, Administrator of the Field Services Division, explained that the division provides field enforcements, well construction inspections, water right transfers, and water-level measurements. Nitin asked for regular updates on field activities. Tim asked about progress on filling the watermaster and assistant watermaster positions in Burns. Debbie provided handouts that show water master districts and the regions that they are in. She also described on-the-ground activities and the bills for the upcoming session.

Bob Devyldere, Manager of the Information Services Section, explained the Department's IT work. Well logs can be submitted electronically and there are links at the Department website for ground water data. Jim asked why some well log images are not available on-line. Bob asked that the Department be notified to remedy those problems when found. Greg asked if the well inspection database were available to the public. It is not but he said that there is no technical problem to do so. The issue of access may be addressed at a future meeting.

Lloyd Van Gordon manages several programs in the division. Water use reporting compiles certain larger water uses annually, including ground water. Static water level reporting is also compiled pursuant to certain permit conditions. Water availability provides flow metrics pertinent to Oregon rivers and streams that are useful in the permitting process of hydraulically connected ground waters. Finally, hydrographics compiles stream flow data. Tim asked how to get records for historic stream gaging sites. Lloyd asked that he be contacted for it.

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Dwight French, Administrator of the Water Rights and Adjudications Division, explained all the functions of the division. They include adjudications, hydroelectric licensing, permitting, certificates, extensions of time, and front desk services. John asked about the processing time for certificates.

**IX. Harney County Ground Water Permitting**

Doug Woodcock introduced Ivan Gall, Manager of the Eastern Region which includes the Malheur Lakes Basin of Harney County. Doug noted that this was an informational item and that ground water permitting is becoming a basin-wide discussion.

Ivan said that last summer the Department issued several negative initial reviews on ground water permit applications based on connection with certain surface water. The streams in question are intermittent, flowing from snow melt in spring. Doug explained the initial review process and the options that it gives applicants to continue, provide new information, make changes, or withdraw the application. The Department will re-review an application based on new information on streams and other things.

Tim Smith is from the area and noted that ground water development is very important in Harney County. He showed some information on his computer screen and a paper graphic of the area of interest. Tim noted that there was little elevation change over a large area. Further, some streams (blue lines) depicted on topo maps may very rarely have flow and are farmed over. As such, a definition of surface water is needed for assessing ground water impacts. He would like a ground water study of the area and a definition of aquitard (a separating layer) that could be a review standard for determining connectivity of ground water with surface water. The definition could guide proper sampling and reporting at drill holes. Tim also noted that with a negative review of the application, the applicant has a burden of proof to rebut conclusions in the review.

Don Nienke is an applicant who received one of the negative initial reviews on his permit application. He felt that the initial review gave him no real options. He thinks that the Department fails to properly define "stream" for this area. Marilyn suggested that the watershed council in the area be called upon to define a stream for administrative purposes.

Doug said that if there is base flow (ground water contribution) to the stream/drainage there is something for wells to interfere with. Ivan noted that there are state observation wells in the area that reveal 4' to 20' feet of seasonal fluctuation. The Department plans public meetings in the basin soon with local residents to help advise people.

Greg followed up on Tim's comments and asked Doug about defining aquitard as it might be valuable for this setting. Doug said that testing the extensiveness of an aquitard is tough.

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**X. Public Comment**

No public comment was offered on non-agenda items.

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