

MEETING MINUTES
GROUND WATER ADVISORY COMMITTEE (GWAC)
August 15, 2008
Rogue Conference Room
North Mall Office Building, 725 Summer St. N.E., Ste. A
Salem, Oregon 97301

GWAC Members Present		Staff Present		Others
Terry Daugherty	Merilyn Reeves	Doug Woodcock	Jerry Rodgers	Megan Kleibacker
Jim Mack Sr (phone)	John Stadel	Jen Woody	Josh Hackett	
Tim Smith	Nitin Joshi	Bob Rice	Kris Byrd	
Greg Kupillas	Bob Jones	Juno Pandian	Abigail Brown	
Lynne Paretchan (phone)		Donn Miller	Barry Norris	

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

II. **Approval of Minutes for the 1/11/08 and 5/2/08 Meetings**

The committee approved the draft minutes as written.

III. **Update on Start Card Fee Increase**

Jerry Rodgers, Administrator for the Technical Services Division, presented this item. The Department is proposing a fee increase from \$125 to \$225 by statute change. Expenditures from the fund now exceed income as a result of several factors, including less well construction and associated fees. Jerry explained a handout showing well inspections in recent years. Inspections were down in 2007 as a result of vacancies in several well inspector positions then. Bob was disappointed to see that the percent of new well inspections was so low.

There was considerable discussion on the fees. Jerry explained that, by statute, the fee goes for well inspection and enforcement (at least 75%), technical assistance (20% or less), and administration (5% or less). In light of citizen financial burdens, Tim is concerned to see that the projected administration costs will increase strongly. Greg thinks that the fee increase should be less than the proposed \$100 to meet projected expenses. Jerry thought that looking at different numbers is a good idea. Bob said that the higher increase is appropriate in view of a loss of revenue linked to less well construction. Merilyn agreed with Bob and said that the increase is not too much. Further, she said that the question should be: what will it cost for the Department to do the well inspection job that we think that it should do. Jerry pointed out that well inspections are more than just new well inspections. Without the increase, a loss of three staff positions in the program is likely. At a recent meeting, the Water Resources Commission approved the fee increase under consideration. Tim thinks that the GWAC has a role to comment on the increase or seek the numbers for alternate increase amounts. John said that the numbers don't justify an 80% increase but he could support a 25% increase. Jerry said that there is a trade off between the amount of increase and the frequency of seeking future increases.

A motion to recommend approval of the proposed fee increase was passed by a split vote of 5-4. Chair Smith said he would write-up a recommendation for the Commission and provide a separate minority opinion on the matter.

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IV. Update on the Oregon Water Supply and Conservation Initiative

Bob Rice, Grant Specialist, went through a slide show on the Water Conservation, Reuse and Storage Grant Program. The program is the result of a stakeholder bill that became law last March. It provides \$1.6 million for evaluating the feasibility of developing water conservation, reuse, and storage projects. An application can be awarded up to \$500,000 on a dollar for dollar match. Applications must be submitted between July 15 and September 2. The process includes proposal evaluations by state agencies, public comment, and referral to the Water Resources Commission for approvals late in the year. The slideshow is available on-line through the Department website.

Merilyn and Lynne both noted that the timeframe is terrible for local governments and others to generate proposals in late summer. This timeline should not be repeated. Bob Rice said that the timeline was part of the legislation. The intents are to award grants, determine the breadth of interest, and request \$5 million in the next legislative session for additional feasibility grants and implementation funds. Bob Rice reported that no applications had been submitted yet. It was noted that most applications arrive late in a submittal period.

The Grant Program is actually separate from the Oregon Water Supply and Conservation Initiative that has its own funding feature for planning efforts.

Barry Norris, Oregon State Engineer, presented background on the Oregon Water Supply and Conservation Initiative. A contractor is developing demand forecast tools out to 2050 and identifying conservation opportunities. In Oregon, summertime flows are fully allocated. Global warming predictions indicate less mid-level snowpack in the future so more storage will be needed to maintain and increase summer supplies. Mapping and associated metrics will be available through a website portal that provides information on hundreds of potential above-ground and below-ground storage sites in Oregon. This information will give planners a start for storage assessments. Finally, there were a large number of applicants for the water planning grants that were available to local governments.

V. Update on Well Construction Rule Change Activities

Juno Pandian, Manager of the Well Construction and Compliance Section, said that the Department convened a rules advisory committee (RAC) in July that has just completed its fourth and final meeting. After evaluating RAC comments, staff will finalize proposed rule changes. There will be a public comment period in September with hearings in Pendleton, Bend, and Salem. Changes will affect five rule divisions and include definitions, removing exact start card fee figures in rule, use of bentonite in well abandonment, and well alterations. Merilyn was on the RAC and said that the process was good and showed her the need for more enforcements on poor well construction and on-going education for counties and others. John asked why there were no changes in the depth of bentonite well seals. Juno said there wasn't enough time or information to evaluate that. Greg asked about the liability/responsibility issue for the driller on well alterations. The Department had previously prescribed total well construction responsibility to the driller who altered a well. Juno said that an alteration would require additional well reporting, if available, on the pre-altered well condition. Further, the driller who alters a well

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only becomes liable for the work that he does. The Water Resources Commission will consider adopting rule changes at the November meeting.

VI. Attorney General Opinion on WRD Authority over Pump Installers

Juno Pandian, Manager of the Well Construction and Compliance Section, presented this item. Greg asked if the opinion means that the Department has no authority to regulate anyone who is not licensed yet is violating the law. Juno said no, the Department can enforce against a pump installer or anyone else who is doing well construction work without a license. The opinion means that the Department has no authority to regulate pump installers as pump installers.

VII. Community Ground Water Level Monitoring – Fellowship Overview

Doug Woodcock, Manager of the Ground Water Section, introduced two people associated with the Oregon Sea Grant Extension Program: Megan Kleibacker, Watershed Education Program Associate, and Abigail Brown, Oregon State University Sea Grant Fellow. Abigail is working at the Department on a voluntary water level monitoring program that is linked to the recent Eola Hills Ground Water Limited Area rules. Megan explained that there has been a water quality outreach program for wells in place for years and Abigail's work will be a great complement to that. Megan pointed out that there will be a wells symposium on December 11 at the Eola Hills Viticulture Center.

Abigail presented a slideshow of the Community Ground Water Level Monitoring Program. The purpose of the program is to provide ground water education and tools for local citizens to collection ground water level data. The Department webpage will be an important source of outreach information. There will be workshops for water level measurement training that include field trips to wells. An e-tape for water level measurement will be available, on-loan, from the extension service in Polk County. Abigail is working on a step-by-step document for well water level measurement. The Department will encourage local volunteers to submit data that will become public information. This is a pilot project that will last one year and focus on the Eola Hills Ground Water Limited Area. The area is primarily in Polk County. This program will provide tools for statewide use.

Members had a number of suggestions for the program. John spoke of the need for proper measurement instruction and tape calibration. Terry asked if there would be a procedure for measuring recently pumped wells. Lynne suggested that there be an ability to upload a training video of one of the workshops. Nitin suggested that a measuring document go out with the e-tape as well as a sheet of frequently asked questions (FAQ). Bob suggested that some level of offsite pumping information would be valuable for data interpretation. Marilyn noted that there are no neighborhood organizations in rural areas so expect a small group effort. Jim suggested that program wells should have/obtain a well tag for positive identification. Doug said that this is a good point and will be part of the program.

Abigail said that the various program components will be available to the public in October. Megan added that the first training sessions are scheduled for the last two Saturdays in October.

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VIII. Ground Water Section Activities

Doug Woodcock, Manager of the Ground Water Section, presented this item. Doug said that the Department has seven hydrogeologists in Salem, one in Bend, and a current vacancy in Grants Pass. The section is responsible for conducting ground water investigations in the state. This ranges from the basin scale on down to the tax lot scale.

The section provides support to watermasters and the enforcement arm of the agency. Staff assist on well construction and interference matters. Staff also craft administrative orders annually in two critical ground water areas to provide water allocations to individual water right holders. This is one type of activity for administrative ground water area management.

Much effort goes to technical reviews for various water right actions. These reviews involve new applications, transfers, permit amendments, time extensions, and other items. There is still a large but shrinking backlog of items for the section to review. An additional work load goes into underground storage proposals and related resource materials.

The section is currently involved with several basin models. In the Klamath, there is the calibration of a transient model. Work on the Willamette model is wrapping up. Finally, there are audits underway on the 1988 Umatilla model and the 2002 Deschutes model.

The section provides support for other activities. A local interest is constructing a ground water model for the Mosier area to define the pumping and well construction elements of local water levels declines. The Umatilla Critical Ground Water Task Force has ended after several years and the section is evaluating its recommendations for ground water management.

IX. Public Comment – None given

Audio-files of the meeting are available.