



# Oregon

John A. Kitzhaber, MD, Governor

**Water Resources Department**

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## MEMORANDUM

**TO:** Water Resources Commission

**FROM:** Ivan Gall, Groundwater Section Manager  
Rob Turkisher, Groundwater Advisory Committee Chair

**SUBJECT:** Agenda Item F, February 7, 2013  
Water Resources Commission Meeting

**Report from Ivan Gall and Rob Turkisher on  
Groundwater Advisory Committee Activities**

### I. Background

The Commission's Groundwater Advisory Committee (GWAC) is appointed and charged with certain duties pursuant to ORS 536.090 (Attachment 1). These duties include: (1) advice on all matters relating to rules for the development, securing, use, and protection of groundwater; (2) licensing and examination of well constructors; and (3) review of the proposed expenditures of start card fee revenue. The Committee consists of nine members who represent a range of interests and expertise, with at least three of the members actively engaged in some aspect of the water supply or monitoring well drilling industry.

The Commission's rules under OAR Chapter 690, Division 235 provide a process to identify GWAC candidates, prescribe a range of categories of expertise that may be represented on GWAC, and allow appointments for up to three years. The rules result in the expiration of three appointments each year, thus staggering membership. Any mid-term vacancy is filled for the remainder of the term. Each year, staff seek Commission action on GWAC appointments and/or reappointments. It is Commission direction that appointments be limited to two terms (six years).

## II. Current Committee Members

<b>Member</b>	<b>Category</b>	<b>Term Expires</b>
Said Amali	Multiple Backgrounds	November 30, 2015
Michael Campana	Hydrogeologist	November 30, 2014
Jim Carleton	Groundwater User	November 30, 2013
Kevin Gill	Monitoring/Water Well Industry	November 30, 2014
Kevin Kelty	Monitoring/Water Well Industry	November 30, 2015
John Messner	Environmental Background	November 30, 2013
Rod Rice	Local Government	November 30, 2015
Rob Turkisher	Local Government	November 30, 2014
Garry Zollman	Monitoring/Water Well Industry	November 30, 2013

## III. Recent and Possible Future Topics

In November 2011, Juno Pandian, Well Construction and Compliance Manager, presented GWAC with draft Closed Loop rules during the open comment period for the rule process. GWAC suggested making one change to exclude municipal sewer and storm water lines from the 50-foot setback requirement. GWAC then moved to endorse the rules with the suggested change for later adoption by the Commission.

In the near future, GWAC may evaluate the construction practices of horizontal borings, some of which reportedly are reaching depths as great as 80 or 90 feet below ground surface. The borings are often used to install underground utilities. This issue was brought to the Department by the Oregon Groundwater Association (OGWA), where some members are concerned about nearby wells being affected by the underground boring activities and unknown chemicals associated with horizontal borings. The Department does not regulate these borings because they are not “wells.”

### Attachments:

1. ORS 536.090 and OAR 690-235

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## Attachment 1

### **536.090 Ground water advisory committee; duties; qualification; term; expenses.**

(1) In carrying out the duties, functions and powers prescribed by law, the Water Resources Commission shall appoint a ground water advisory committee to:

(a) Advise the commission on all matters relating to:

(A) Rules for the development, securing, use and protection of ground water; and

(B) Licensing of well constructors, including the examination of such persons for license.

(b) Review the proposed expenditure of all revenues generated under ORS 537.762(5). At least once each year, and before the expenditure of such funds on new program activities, the Water Resources Department and the ground water advisory committee shall develop jointly a proposed expenditure plan for concurrence by the Water Resources Commission. The plan may be modified, if necessary, upon the joint recommendation of the department and the ground water advisory committee with concurrence by the commission.

(2) The committee shall consist of nine members who represent a range of interests or expertise. At least three of the members shall be individuals actively engaged in some aspect of the water supply or monitoring well drilling industry. Members shall serve for such terms as the commission may specify.

The committee shall meet at least once every three months and at other times and places as the commission may specify.

(3) A member of the committee shall not receive compensation, but at the discretion of the commission may be reimbursed for travel expenses incurred, subject to ORS 292.495.

### **Oregon Administrative Rules**

#### **690-235-0005 Ground Water Advisory Committee: Appointments, Terms, and Qualifications**

(1) There is created the Ground Water Advisory Committee consisting of nine members appointed by the Commission: Three of whom shall be individuals actively engaged in some aspect of the water supply or monitoring well drilling industry. Members shall be residents of Oregon.

(2) Each member shall be appointed for a term of up to three years. When a vacancy occurs before the expiration of a term, the vacancy shall be filled by appointment for the remainder of the unexpired term only. Terms shall be staggered. Three of the terms shall expire each year.

(3) The Commission shall consider geographic representation, population representation, as well as a range of interests and expertise in the selection of members. The committee shall be

composed of individuals with expertise in and representing interests of one or more of the following: well drilling industry, hydrogeology, irrigation, local government, Indian Tribes, environment, public health, industry, commerce, water project development, watershed enhancement, instream flow, agriculture, well pump installation, exempt ground water users, any other category with a ground water interest. The Commission shall give consideration to individuals with multiple category backgrounds.

(4) Officers of Committee: The Committee shall select one of its members as Chair and another as Vice-Chair. Maximum terms of officers shall be two years for each position within six consecutive years.

(5) Meetings of the Committee: The Committee shall meet at least once every three months at locations specified by the Director.

(6) Members may receive travel expenses subject to [ORS 292.495](#).

(7) The Department shall solicit candidates for the committee in anticipation of an appointment. The Department shall mail notice seeking candidates to all persons and organizations which have filed with the Department a written request to be included on the mailing list maintained for the Ground Water Advisory Committee. Appointments to the committee are not limited to individuals submitted for consideration as a result of the solicitation process set forth above.

#### **690-235-0020 Ground Water Advisory Committee Duties**

The Committee shall consider and advise the Commission on all matters relating to:

(1) Rules, legislation, and public policy for the development, securing, use, and protection of groundwater.

(2) Licensing of well constructors, including the examination of such persons for license.

(3) Review the proposed expenditure of all revenues generated under [ORS 537.762\(5\)](#). At least once a year, and before the expenditure of such funds on new program activities, the Water Resources Department and the Committee shall develop jointly a proposed expenditure plan for concurrence by the Water Resources Commission. The plan may be modified, if necessary, upon the joint recommendation of the Department and the Committee with concurrence by the Commission.