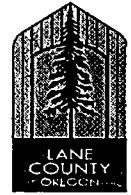


T. G. C.



Memorandum Date: November 28, 2007
Work session Date: December 4, 2007

TO: Board of County Commissioners
DEPARTMENT: Land Management Division
PRESENTED BY: Kent Howe, Planning Director
AGENDA ITEM TITLE: WORKSESSION / GROUNDWATER ISSUES IN
DEVELOPMENT APPLICATION REVIEWS.

I. AGENDA ITEM SUMMARY

This work session is a follow-up presentation about groundwater issues in Lane County in response to Measure 37 and Measure 49 transitions in land development. Representatives from public water systems will provide an overview of current water quality management issues and coordination among public water system providers in the county. The presentation includes potential actions that could help address water quality concerns for Board discussion and consideration of their role in a consolidated approach to source water protection that will contribute to the health and well-being of Lane County residents.

II. ATTACHMENT

Lane County's Role in Drinking Water Protection

LANE COUNTY'S ROLE IN DRINKING WATER PROTECTION

Requested Action: Board of County Commissioners directs staff to evaluate the options for County participation in drinking water source protection.

Safe drinking water is vital to the economic health and livability of Lane County communities. Public water systems in Lane County do an excellent job of treating water and distributing it safely to County residents; however, effective water quality management requires more than just treatment. Source water protection is essential, and it can reap huge benefits to communities: proactive pollution prevention and decreased chances of losing drinking water sources to contamination; less expensive treatment of raw water; and greater financial security (the Environmental Protection Agency estimates that it is, on average, 27 times more expensive to deal with a drinking water contamination problem than to implement strategies for protection).

Lane County public water systems boast many examples of excellent voluntary and regulatory source water protection. Several local agencies recently worked together to implement a voluntary agricultural chemical removal project that safely eliminated 44.4 tons of unwanted and obsolete pesticides from areas throughout Lane County. The Eugene Water & Electric Board (EWEB) has worked closely with 27 federal, state, and local agencies (including Lane County Public Works and Sheriff's Office) to develop and implement a watershed emergency response system that uses geographic information system (GIS) technology to coordinate and gain quick access to critical information, equipment, trained personnel and response strategies, allowing for an efficient and effective response to chemical spills and other emergency incidents.

Despite diligent efforts to date, lack of jurisdictional authority prevents many communities from comprehensively protecting their source waters. For example, the City of Coburg has no authority over its drinking water source area. Forty percent of the groundwater recharge area and 99% of the entire source water area for the City of Springfield lies outside the UGB. With many source water areas located on County-zoned land, Lane County is a logical partner for protecting the population's water supply.

On October 29, 2007, representatives from 16 Lane County public water systems met to develop ideas for how Lane County could partner with water systems to improve source water protection. The public water systems participating in the meeting collectively represented 252,033 water consumers, or approximately 75% of the Lane County population and 90% of the population served by all community public water systems in Lane County. The goal of the meeting was to identify shared source water quality concerns and generate a list of potential solutions that would be applicable throughout Lane County. Examples of the shared drinking water threats include:

- Storage and use of chemicals/hazardous materials and dense non-aqueous phase liquids (chlorinated solvents);
- Septic system operation (abandoned and in-use);
- Private well contamination of the local aquifer (abandoned and in-use);
- Nitrate sources;
- Pharmaceutical and personal care product persistence in surface and groundwater;
- Hazardous material spills;
- Land development effects (erosion, stormwater runoff, septic clusters, riparian development); and
- Sand & gravel mining operations.

The public water systems generated a list of potential actions that would help address their water quality concerns. The highest priorities are summarized below. Each objective includes two “possible” actions to illustrate that a number of approaches exist for addressing drinking water protection.

Objective #1: INTEGRATE DRINKING WATER PROTECTION INTO COUNTY LAND USE PROCESS

Possible Actions:

1. Lane County adopts a county-wide overlay map that shows drinking water source areas. The map would be tied to the land use planning process in the following ways:
 - Land use proposals within the overlay would trigger County notifications to the affected public water systems; and
 - The County would not grant waivers of existing regulations for any land use proposals within the overlay.
2. Lane County adopts a county-wide overlay map that shows drinking water source areas. The map would be accompanied by criteria for drinking water protection. Criteria would address activities that pose a potential risk to drinking water (e.g., hazardous material storage, septic clusters, riparian buffers, new developments).

Objective #2: PUBLIC WATER SYSTEMS RECEIVE SPILL NOTIFICATION

Possible Actions:

1. The County develops communication protocols for the Sheriff's Office emergency response staff, in partnership with the Oregon Emergency Response System (OERS), to promptly notify water systems of spills that occur within their drinking water source areas.
2. The County, public water systems, and other partners work together to leverage funding to develop an emergency notification system.

Objective #3: PROMOTE DRINKING WATER PROTECTION EDUCATION

Possible Actions:

1. Lane County provides education to developers, residents, and others about the drinking water source areas in the County.
2. Lane County and public water systems establish an education partnership that addresses drinking water protection topics (e.g., the risk of private wells as conduits for contaminants) and develops better, comprehensive, and coordinated education for:
 - Watershed councils;
 - County residents;
 - Lane County planners;
 - Developers;
 - Small water systems; and
 - Realtors.

As stated above, multiple options exist for the County to address drinking water protection. Implementation of some or all of the actions outlined above would be beneficial. The key is that public water systems have agreed on the *need* for County involvement. The rationale:

- The concerns described above are shared by a group that is responsible for providing drinking water to approximately 75% of the County population;
- In many cases the County, not the public water system, has land use jurisdiction over water source areas, so communities are dependent on County action to protect their drinking water sources;
- Compared to the other barriers that protect public health within a public water system (water treatment, distribution system maintenance), drinking water source areas are most vulnerable to the threat of contamination;
- When contamination of a drinking water source occurs, the damage is already done and rehabilitation of the source can be costly and time intensive;
- Working with multiple water systems, rather than a single water system, will establish a uniform approach to source water protection throughout the County. For example, if the County opts to enact criteria for the overlay district, developers will understand that the same criteria apply throughout Lane County; and
- Working with multiple water systems will help smaller water systems, which have fewer resources, and will provide the County with a consolidated method for addressing Goal 5 of the statewide land use planning goals.

Many public water systems in Lane County are working hard to protect their drinking water source areas, but most cannot do it alone. Effective source water protection requires the combined efforts of many partners. Lack of sufficient resources is often an obstacle to comprehensive source water protection. The public water systems who participated in the meeting recognized that limited resources are a significant obstacle for Lane County as well. By taking a consolidated, county-wide approach to source water protection, we can pool and make the best use of existing resources *and* leverage additional funding.

Public water systems are interested in working with the County to protect our drinking water sources. The County is well-positioned to help protect drinking water, and in doing so, would make an invaluable contribution to the health and well-being of Lane County residents.

PUBLIC WATER SYSTEMS WHO ATTENDED OCTOBER 20 th MEETING	
City of Coburg	Manhattan Water District
City of Cottage Grove	Marion Water District
County Water Estates Water System	McKenzie Valley Presbyterian Church
City of Creswell	Oregon Cascade RV Park
Rogue Water and Electric Board	Rainbow Water District
Gustine Land & Timber	Roshore LLC
Golden's Trailer Court	Springfield Utility Board
Leeward Water Association	
City of Veneta	

With the participation and technical support of staff from the Department of Human Services Drinking Water Program, the Department of Environmental Quality, and the Lane Council of Governments