

CITY OF PORT ORFORD

WORKSHOP OF THE COMMON COUNCIL

September 25th, 2023 AT 5:30 P.M.

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AGENDA

- 1. Call to Order/Roll Call**

- 2. Workshop: Wells**
 - a. Overview**
 - b. Key Policy Issues**

- 3. City Administrator Updates**

- 4. Adjourn**



TO: John Hutt, City Administrator

FROM: Joseph Harrison, Planning Assistant

DATE: August 3rd, 2023

RE: Current Process for Approving Wells

ISSUE:

A workshop to further consider and develop regulations to minimize the impact of well installation within town.

BACKGROUND:

Due to the current curtailment of the hook-ups to the city water system an alternative means of securing water during land development and division activities had to be proposed. Currently during these activities, applicant must provide water rights documents, proof of intent to put a well in place and secure the approval of the planning director, the public works superintendent, and the planning commission prior to filing for approval for a well with the Curry County water authority.

DISCUSSION:

The Planning Commission previously submitted requests for well regulations in Resolution 2023-05 which were discussed but not approved by the Common Council. At this time there are no well-defined regulations for managing the wells going in, no authoritative documentation on which would be considered in compliance, and no enforcement on wells put in without prior approval from the above-mentioned persons.

RECOMMENDATION:

It is staff's recommendation to direct Administration to draft new regulations for well approval to ensure that the wells being installed within the city don't become a burden on our environment.

TO: Port Orford City Council
 FROM: Ann Vileisis, Council President
 MEMO: Well policy within the city of Port Orford during curtailment
 Date: Aug. 1, 2023

Background

At our May 2023 meeting, the Port Orford City Council tabled proposed code language drafted by City Administrator *pro tem* Gary Milliman with our planner Crystal Shoji intended to clarify our city water policy pertaining to allowing use of wells during this time of curtailment when we cannot allow new hook ups to our city water system. There was a need to develop this policy because specific development proposals were coming before the planning commission that demanded clarity from Council. Mr. Milliman and Ms. Shoji brought the code to the Planning Commission for review and then brought it to Council.

In short, their recommended code would allow landowners to identify wells as a water source on building clearance forms, enabling them to advance development proposals during this period of curtailment, but would require dwellings to hook up to the municipal system within a specified time frame after our city regains the capacity to allow hook-ups again.

After the proposed code clarification was tabled, Mr. Milliman suggested a workshop on this topic, but given all the other higher priority issues, we've not yet made this happen. With more wells being drilled within our city limits over the past couple of months, this remains an urgent matter that needs to be more thoroughly discussed.

Three Key Policy Issues

From the perspective of developing city policy, I see three key issues/ questions we need to better understand:

- How do we properly identify specified water sources on land plats and also in relation to record keeping for the city and county, during our water curtailment? How can we ensure that these buildings/developments are following our codes?
- How might our policy on wells affect the long-term economic viability of our city's water system, which needs rate payers to help support ongoing system maintenance?
- How might growing well use affect our local water table and future water availability?

#1) How do we properly identify specified water sources on land plats and also in relation to record keeping for the city and county, during water curtailment?

The written staff report and guidance we received at our May meeting as a recommendation from the Planning Commission were drafted by CA *pro tem* Gary Milliman and Planner Crystal Shoji to help clarify matters required by our code. It's my understanding that our current code *implies* that residents will hook up to the city water system and has long been interpreted to that effect. If we don't have clarification, we are creating confusion for future planning and record keeping. There are many nuances that come up. What if drills are drilled before there is any particular proposal for a residential purpose but later proponents want a commercial use? What if initial approval for a subdivision was for city water but now proponent wants a well? If need be, our long-time planner Crystal Shoji would be available to talk with City Council at a workshop.

#2) How might our policy on wells affect the long-term economic viability of our city's water system?

This is a matter of basic fairness and economics for our city. Although our city rate payers could never afford to pay for all our municipal water system upkeep needs, we do need more ratepayers to share in the costs of maintenance, at least. As Mr. Milliman indicated in his May staff report, it could well be that granting or loan agencies considering funding to help our municipal water system will ask expect that we require new homes to hook up to our system to demonstrate that we are sharing system costs fairly. The benefits of a municipal water system accrue not only to rate payers who use water but to everyone in our community that benefits from fire department protection, from having restaurants, health care facilities, schools and businesses that tap into the city water system. It is common practice for cities to require hook up to the water system if you live within city limits.

#3) How might our policy on wells affect our local water table?

This is a matter that Oregon Water Resources Department (OWRD) staff can advise us on. I talked to the OWRD groundwater lead Justin Iverson and our Water Master Scott Ceciliani (on 5/15/23), and they would also be willing to be available for a city council workshop.

Here is some basic info about pumping groundwater (GW) that I learned from them:

OWRD has an exemption for small uses of ground water, such as for domestic use (<5000 gallons/day) and single industrial use (5,000 gallons/day), and so there is no regulation of these small wells by OWRD. If wells start to interfere with each other, the earlier well has priority.

In the OWRD's 2021 *Oregon Groundwater Resource Concerns Assessment*, Port Orford is identified as a "yield limited" area. Yield-limited means that there is an insufficient groundwater supply for irrigation. The underlying hydro-geology in our area is made up of consolidated marine sediments with fractures. These are not highly productive aquifers, but they may be sufficient for adequately spaced *domestic/exempted* uses. The fractured rock aquifers are "tricky," and there can be well "interference" in unpredictable ways.

Groundwater flows on a gradient toward low pressure, low elevation. When it is pumped, there is a reduction in pressure and in elevation of the water table that can create a cone of depression. If there are multiple wells, these depressions can intersect and draw down the aquifer. As a result, with close, municipal-type spacing of wells, there can be conflicts. For that reason, some cities have policy to exclude wells within city limits. Some possible concerns/risks include:

- **Salinity:** If wells are sited are too close to the ocean, they could pull salinity into the water table. It's unlikely that individual well owners can manage this kind of larger issues, and so some coastal cities track salinity levels in wells to avoid salt water intrusion into their water table.
- **Contamination:** Well drillers have to meet minimum well safety standards such as setbacks from septic and sewer lines to address contamination concerns. However, even if wells are constructed correctly, the more holes in the ground –there is more potential for contamination.
- **Relation to other utilities:** If water tables are drawn down and there is a shift in underground strata, wells can affect/damage buried utilities

All these concerns and level of risk tend to depend on density of wells.

Other information:

OWRD's general regulations require setbacks that may be difficult to attain in cities. There must be a 50 ft setback from city sewer and stormwater lines. These requirements are implemented by the licensed driller who must follow the regulations. However, in our city, the sewer lines are not well mapped and locations are not well known.

When there are 4 houses on a single well, it becomes a "community system," which must meet a higher level of regulation for public safety and is regulated by Oregon Health Authority (which helps to regulate drinking water quality). A system of 3 houses on a well is not regulated by the state.

According to the OWRD well log data base, with all wells on record since 2009, it looks like Port Orford has ~70 domestic water supply wells and 10 commercial water supply wells. There is no way to tell which wells are being used now and which could be used in the future. The well log could include older shallower wells that are no longer being used but that have not been decommissioned. And there may be additional older wells not in the log. In just the past few months, there have been several new wells drilled that may not yet be in the log.

The most important thing for groundwater supply is not the number of wells but their spacing.