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## JOINT ELECTED OFFICIALS MEETING

City of Springfield ● Lane County

January 14, 2014

5:30 p.m.

Joint Public Hearing

Lane County Public Safety Building

Harris Hall

125 East 8<sup>th</sup> Avenue, Eugene

### CALL TO ORDER

### ROLL CALL

SPRINGFIELD CITY COUNCIL: Mayor Lundberg \_\_\_\_, Councilors VanGordon \_\_\_\_, Wylie \_\_\_\_, Moore \_\_\_\_, Ralston \_\_\_\_, Woodrow \_\_\_\_, and Brew \_\_\_\_.

LANE COUNTY COMMISSIONERS: Board Chair Leiken \_\_\_\_, Board Members Bozievich \_\_\_\_, Sorenson \_\_\_\_, Farr \_\_\_\_, and Stewart.

1. Springfield Utility Board Drinking Water Amendments to the Lane County Rural Comprehensive Plan (RCP).  
[Mark Metzger] (60 Minutes)

LANE COUNTY ORDINANCE NO. PA-1307 – IN THE MATTER OF AMENDING THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) TO REVISE THE GOAL 5 GROUNDWATER RESOURCES POLICIES AND ADD THE SPRINGFIELD WELLHEAD PROTECTION AREA TO THE GOAL 5 INVENTORY OF SIGNIFICANT GROUNDWATER RESOURCES AND ADOPTING A SAVINGS AND SEVERABILITY CLAUSE (Dept. File No. PA13-05273).

SPRINGFIELD RESOLUTION NO. 1 – A RESOLUTION APPROVING THE AMENDMENT OF THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) TO REVISE THE GOAL 5 GROUNDWATER RESOURCES POLICIES AND ADD THE SPRINGFIELD WELLHEAD PROTECTION AREA TO THE GOAL 5 INVENTORY OF SIGNIFICANT GROUNDWATER RESOURCES

**MOTION: ADOPT/NOT ADOPT RESOLUTION NO. 1.**

### ADJOURNMENT

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**AGENDA ITEM SUMMARY**

**Meeting Date:** 1/14/2014  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Mark Metzger, DPW  
**Staff Phone No:** 541-726-3775  
**Estimated Time:** 60 minutes  
**Council Goals:** Mandate

**SPRINGFIELD  
CITY COUNCIL**

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<b>ITEM TITLE:</b>	SPRINGFIELD UTILITY BOARD DRINKING WATER AMENDMENTS TO THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP)
<b>ACTION REQUESTED:</b>	Meet jointly with Lane County to conduct a joint public hearing to adopt a resolution approving proposed amendments to the RCP that would revise the County's Goal 5 groundwater resources policies and add Springfield Wellhead Protection Areas to the Goal 5 Inventory of Significant Groundwater Resources.
<b>ISSUE STATEMENT:</b>	The proposed amendments fulfill, in part, a May 2013 intergovernmental agreement (IGA) between Lane County and the City of Springfield that gives the city a voice in land use decisions that could affect its groundwater resources within county jurisdiction. In exchange for being allowed to participate in such decisions, Springfield agreed to a County proposal to make the Metro Plan Boundary coterminous with the Springfield UGB.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Lane County Staff Agenda Cover Memo and Analysis</li><li>2. Application to Amend the Lane County RCP</li><li>3. Supplemental Information from the Applicant</li><li>4. County Ordinance No. PA 1307</li><li>5. Council Resolution</li><li>6. City County Intergovernmental Agreement--Metro Plan Boundary</li></ol>
<b>DISCUSSION/ FINANCIAL IMPACT:</b>	<p>Section 1C. of the IGA between the City and the County states: The City and County shall exercise joint decision authority over adoption of any amendments to SUB's groundwater resource identified in the County's inventory and on a drinking water protection plan to protect that resource or any amendment to such drinking water protection plan for the term of this Agreement, as further provided in Section 1: D..."</p> <p>The following policy is proposed for inclusion in the RCP as Goal 5 Water Resource Policy 6:</p> <p>"The significant groundwater resource inventory for Lane County shall consist of those wellhead protection areas meeting the requirements of OAR 660-023-0140 (5)(a) that have been delineated and certified by the Oregon Public Health Division. The certified wellhead protection areas shall be adopted into the Goal 5 inventory by Board Ordinance. The adopted area boundaries shall form the basis for development of wellhead protection plans in accordance with OAR 340-040-0180."</p> <p>The application (Attachment 2) includes maps showing the wellhead protection areas that are being adopted by Lane County. Adoption of Policy 6 and the maps lays the groundwork for the City and County to jointly prepare a drinking water protection plan for the adopted certified wellhead areas.</p> <p>The Springfield Planning Commission met jointly with the Lane County Planning Commission on November 5, 2013 and voted unanimously to recommend Council approval of the amendment to the Lane County Rural Comp Plan.</p>

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## AGENDA COVER MEMO



December 10, 2013 (Date of Memo)  
December 17, 2013 (Date of 1<sup>st</sup> Reading)  
January 14, 2014 (Date of 2<sup>nd</sup> Reading and Public Hearing)

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**TO:** Lane County Board of Commissioners  
**CC:** Springfield City Council  
**DEPARTMENT:** Public Works / Land Management Division  
**PRESENTED BY:** Keir Miller, Senior Planner  
**AGENDA ITEM TITLE:** **ORDINANCE NO. PA 1307** / IN THE MATTER OF AMENDING THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) TO REVISE THE GOAL 5 GROUNDWATER RESOURCES POLICIES AND ADD THE SPRINGFIELD WELLHEAD PROTECTION AREA TO THE GOAL 5 INVENTORY OF SIGNIFICANT GROUNDWATER RESOURCES AND ADOPTING A SAVINGS AND SEVERABILITY CAUSE. (Dept. File No.: PA13-05273)

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### I. MOTION:

- For December 17, 2013: Move the 1<sup>st</sup> Reading and set the 2<sup>nd</sup> Reading and Public Hearing for January 14, 2014.
- For January 14, 2014: Move approval of Ordinance No. PA 1307.

### II. ISSUE:

An application has been filed requesting a major amendment to the Rural Comprehensive Plan (RCP) to: 1) add the Springfield Wellhead Protection Area to the RCP Goal 5 Inventory of Significant Groundwater Resources and, 2) amend the RCP Goal 5 Groundwater Resources Policies.

### III. BACKGROUND / DISCUSSION:

#### A. Board Action and Other History

In 1999, the Springfield City Council adopted the Springfield Drinking Protection Water Plan (Plan). The Plan was developed to identify strategies to protect the City's groundwater resources and to meet state and federal requirements for the protection of drinking water.

In 2004, Lane County adopted Ordinance No. PA 1206. This action incorporated the Springfield Drinking Water Protection Plan as a functional plan to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan), thus implementing the Plan outside of the Springfield City limits but within the Metropolitan Urban Growth Boundary (UGB). At that time the plan was not adopted outside of the UGB, despite the fact that approximately 40% of the total groundwater area that supplies Springfield's wellfields originate within rural Lane County and outside of the UGB.

Since 2006, staff from the Springfield Utility Board (SUB) has periodically engaged the Board of Commissioners and the Land Management Division to express an interest in having the County implement measures to protect the City's groundwater resources that lie outside of the UGB.

In 2011, Lane County initiated an amendment to modify the Metro Plan boundary east of Interstate 5. The purpose of that amendment was to reduce the total area covered by Metro Plan by making the plan boundary coterminous with the Springfield UGB. During the initial public hearing proceedings for that action the Springfield Utility Board expressed opposition. At the time, the utility's fundamental concern was that if the Metro Plan boundary was altered to be coterminous with Springfield's UGB the City would no longer be a decision maker (Vis-à-vis the Metro Plan) on land use actions outside the UGB, which might have an impact on the City's water supply.

In response to these concerns, Lane County, Springfield and SUB held a series of discussions throughout 2012. These talks ultimately culminated in an Intergovernmental Agreement (IGA) between the City and the County. The IGA enabled the City to maintain its decision making authority (previously enabled by Metro Plan Policies) on specific RCP PAPA proposals that might impact the City's drinking water outside the UGB. The IGA also directed the County to prioritize an amendment to the Rural Comprehensive Plan to add the Springfield "Wellhead Protection Areas" to the County's Goal 5 Inventory of Significant Groundwater Resources and implement related RCP policies. In accordance with the IGA, SUB and Springfield jointly filed an application with the Land Management Division to implement these amendments on August 15, 2013. This is the application the Board finds before it. In addition, because the IGA grants decision making authority to the City of Springfield on this issue, the Springfield City Council is participating in this RCP amendment.

#### **B. Planning Commission Review and Recommendation:**

On November 4, 2013, the Lane County and Springfield Planning Commissions held a joint public hearing on the proposed RCP amendments. Following the close of the public hearing, each Planning Commission unanimously recommended approval of proposal.

### **IV. ANALYSIS**

#### **A. Character of the Request:**

This application request is characterized as a Post-Acknowledgement Amendment to the Lane County Rural Comprehensive Plan. The applicant requests that: 1) the delineated and certified Springfield wellhead protection area be recognized as a significant Goal 5 groundwater resource, and 2) the RCP Goal 5 Water Resources Policies be amended to identify the inventory and direct future development of protection measures for the resource.

#### **1. Proposed Wellhead Protection Area Goal 5 Inventory Update:**

SUB and the Rainbow Water District (Rainbow) operate more than 35 wells to produce water from extensive aquifers located beneath Springfield and Unincorporated Lane County. These wells serve a population of approximately 64,000. Those portions of the aquifers that actually yield water to the community's wells have been delineated. The purpose of the delineation process is to determine the wellhead protection area for each well/wellfield. This is the area on the surface that directly overlies that part of the aquifer(s) that supplies groundwater to the wells. The delineated area is divided into various time of travel (TOT) zones to indicate the calculated amount of time it takes groundwater to move from each zone to the pumping well. Each of the SUB/Rainbow wells, wellfields, and their respective delineated TOT zones are represented on Exhibit

#2 to Attachment “#1 (the applicant’s submittal). The complete Springfield Wellhead Protection Area including those areas proposed for inclusion on the Goal 5 inventory of Significant Groundwater Resources is shown on Exhibit #1 to Attachment #1. Individual well field areas with the TOT zones are depicted on Exhibit #11 to Attachment #1. It is within the wellhead protection areas that a contaminant, if released, could migrate down to the aquifer and travel to the well.

Under the Administrative Rules that apply to Oregon's Drinking Water Protection Program, the Department of Human Services Public Health Division (PHD) (formerly Oregon Health Division (OHD)) has responsibility for certifying groundwater-derived wellhead protection areas in the State. The delineations of the wellhead protection area for all of Springfield's wells were conducted in accordance with state requirements and certified by OHD in April 1997. The delineations were recertified by OHD in March 1999 in Certification #0002R, Exhibit #4 to Attachment #1, and by PHD in July 2008 in Certification #0002R version 2, Exhibit #3 to Attachment #1.

The Oregon Administrative Rules (OARs) implementing Statewide Planning Goal 5 requires that local government amend acknowledged plans in order to inventory and protect significant groundwater resources. OAR 660-023-0140(2). The delineated wellhead protection area shown on Exhibit #1 to Attachment #1 is considered a significant groundwater resource because the public water system served by the wellhead area has a service population greater than 10,000 and relies on groundwater from the wellhead area as the primary or secondary source of drinking water.

The inclusion of the Springfield wellhead protection area on the significant groundwater resource inventory in the Rural Comprehensive Plan will satisfy the Goal 5 inventory requirement and provide the basis for future development of a Drinking Water Protection Plan outside of the urban growth boundary.

The area proposed for inclusion on the inventory is limited to the portion of the Springfield wellhead protection area that lies outside of the Eugene-Springfield Metropolitan Area General Plan boundary and east of the I-5 corridor.

## **2. Proposed Goal 5 Policy Updates:**

There currently are no adopted significant groundwater resources identified in the Lane County Rural Comprehensive Plan. Concurrent with the adoption of the delineated area as a significant groundwater resource, a policy is proposed to be added to the RCP Goal 5 Water Resources policies to identify the applicable processes and provisions guiding the inventory and protection of these resources. Another policy is proposed to be added to the policies section applicable to the lands removed from the Eugene-Springfield Metropolitan Area General Plan by Ordinance No. PA 1290 in June of 2013. The policy identifies the procedural requirements contained within the Intergovernmental Agreement between Springfield and Lane County for review of applications within the former Metro Plan Boundary related to groundwater resources.

## **B. Policy Issues**

Pursuant to the 2013 IGA between the City of Springfield and Lane County, the Board agreed to prioritize the processing of the attached application. Adoption of the proposed ordinance will set the stage for the City of Springfield and SUB to make application and request county adoption of a drinking water protection plan to protect those portions of the SUB wellfield that lie outside of the Springfield Urban Growth Boundary.

## **C. Analysis**

The application is thorough and accurate, and staff agrees with the assertions made therein. The criteria listed below in **bold underlined text** are applicable in the review of this proposal and are followed by a bulleted reference to the pages within the application text in which they are successfully addressed:

1. **Lane Code 16.400(8)(a) 'Major' and 'Minor' Amendments**
  - Addressed on pages 3 and 4 of the application submittal, included as Attachment #1
2. **Lane Code 16.400(6)(h) Method of Adoption and Amendment**
  - Addressed on page 4 of the application submittal, included as Attachment #1
3. **Statewide Planning Goal 5 (specific discussion)**
  - Addressed on pages 4 and 5 of the application submittal, included as Attachment #1
4. **Oregon Administrative Rules 660-023 Applicable to the Inventory and Protection Goal 5 Groundwater Resources**
  - Addressed on pages 5-9 of the application submittal, included as Attachment #1
5. **Statewide Planning Goals 1-15**
  - Addressed on pages 9-14 of the application submittal, included as Attachment #1
6. **Applicable Metro Plan Policies referenced by the RCP Goal 5 Water Resources Policy 2 for Lands Removed from the Eugene-Springfield Metropolitan Area General Plan**
  - Addressed in pages 1-10 of the supplemental findings document, dated October 21, 2013 and included as Attachment #2.

## **V. ACTION:**

### **A. Alternatives:**

1. Adopt Ordinance No. PA1307
2. Deny the Ordinance
3. Direct staff to return with a revised ordinance

### **B. Staff Recommendation**

A wellhead protection area for the wells that supply drinking water for 64,000 Springfield residents has been delineated and certified in accordance with the Oregon Health Division requirements that implement the Federal Safe Drinking Water Act of 1986. Statewide Planning Goal 5 requires the inventory of groundwater resources in Lane

County. The applicant has successfully demonstrated that the proposed PAPA application meets the applicable approval criteria. Therefore, Staff recommends Option 1.

**C. Follow Up**

Upon action on the Ordinance, staff will notify all parties of record and the Department of Land Conservation and Development of the Board's decision.

**VI. ATTACHMENTS:**

1. Application, dated August 15, 2013, including applicant's statement and exhibits, totaling 38 pages
2. Applicant's supplemental findings, dated October 21, 2013, totaling 10 pages
3. Ordinance No. PA 1307 and Exhibits A, B and C totaling 47 pages

**APPLICATION FOR AMENDMENT OF THE LANE COUNTY  
RURAL COMPREHENSIVE PLAN**

**I. A. Applicants:** City of Springfield  
Gino Grimaldi, City Manager  
225 Fifth St.  
Springfield, OR 97477

Springfield Utility Board  
Jeff Nelson, General Manager  
250 "A" Street  
PO Box 300  
Springfield, OR 97477

**Agent:** Thom Lanfear / Lanfear Consulting LLC  
541 Willamette St. Suite 402  
Eugene, OR 97401

**B. Proposal:**

Amend the Lane County Rural Comprehensive Plan (RCP) to revise the Goal 5 Groundwater Resources Policies and add the Springfield Wellhead Protection Area to the Goal 5 inventory of Significant Groundwater Resources.

**II. BACKGROUND**

The Springfield Utility Board (SUB) and Rainbow Water District operate more than 35 wells to produce water from extensive aquifers located beneath the Springfield area and serve a population of approximately 64,000. Those portions of the aquifers that actually yield water to the community's wells have been identified or delineated. The purpose of the delineation process is to determine the wellhead protection area for each well/wellfield. This is the area on the surface that directly overlies that part of the aquifer(s) that supplies groundwater to the wells. The delineated area is divided into time of travel (TOT) zones to indicate the calculated amount of time it takes groundwater to move from each zone to the pumping well. Each of the SUB/Rainbow wells, wellfields, and their respective delineated TOT zones are represented on Exhibit #2. The complete Springfield Wellhead Protection Area including those areas proposed for inclusion on the Goal 5 inventory of Significant Groundwater Resources is shown on Exhibit #1. Individual well field areas with the TOT zones are depicted on Exhibit #11. It is within the wellhead protection areas that a contaminant, if released, could migrate down to the aquifer and travel to the well.

Under the Administrative Rules that apply to Oregon's Drinking Water Protection Program, the Department of Human Services Public Health Division (PHD) (formerly Oregon Health Division (OHD)) has responsibility for certifying groundwater-derived wellhead protection areas in the State. The delineations of the wellhead protection area for all of Springfield's

wells were conducted in accordance with state requirements and certified by OHD in April 1997. The delineations were recertified by OHD in March 1999 in Certification #0002R, Exhibit #4, and by PHD in July 2008 in Certification #0002R version 2, Exhibit #3.

Statewide Planning Goal 5 Administrative Rules require local governments to amend acknowledged plans in order to inventory and protect significant groundwater resources. OAR 660-023-0140(2). The delineated wellhead protection area shown on Exhibit #1 is considered a significant groundwater resource because the public water system served by the wellhead area has a service population greater than 10,000 and relies on groundwater from the wellhead area as the primary or secondary source of drinking water.

The delineated area within the urban growth boundary was adopted by Lane County in Ordinance No. PA 1206 in 2004 for implementation of the Springfield Drinking Water Protection Plan. The wellhead protection area outside of the Urban Growth Boundary has not yet been adopted by Lane County as a significant groundwater resource. The inclusion of the Springfield wellhead protection area on the significant groundwater resource inventory in the Rural Comprehensive Plan will satisfy the Goal 5 inventory requirement and provide the basis for future development of a Drinking Water Protection Plan outside of the urban growth boundary.

The area proposed for inclusion on the inventory is limited to the portion of the Springfield wellhead protection area that lies outside of the Eugene-Springfield Metropolitan Area General Plan boundary and east of the I-5 corridor [Exhibit #2]. The Metro Plan boundary was revised to a location coterminous with the Springfield Urban Growth Boundary by Lane County Ordinance No. PA 1290 adopted June 5, 2013.

There currently are no adopted significant groundwater resources identified in the Lane County Rural Comprehensive Plan. Concurrent with the adoption of the delineated area as a significant groundwater resource, a policy is proposed to be added to the RCP Goal 5 Water Resources policies to identify the applicable processes and provisions guiding the inventory and protection of these resources. Another policy is proposed to be added to the policies section applicable to the lands removed from the Eugene-Springfield Metropolitan Area General Plan by Ordinance No. PA 1290 in June of 2013. The policy identifies the procedural requirements contained within the Intergovernmental Agreement between Springfield and Lane County for review of applications within the former Metro Plan Boundary.

#### **A. Local Groundwater Characteristics**

Groundwater throughout the valley is encountered at shallow depths, typically within 10 to 20 feet of ground surface. The near surface aquifer conditions are generally unconfined. Semiconfined conditions appear to occur at depth due to heterogeneous layering in the sediments or local cementation of the sediments. However, traceable low-permeability layer, such as a clay or silt confining layer of significant areal extent has not been identified in the Springfield area. Groundwater flow generally occurs in a direction parallel to the valley axis (north, northwest, or west depending on one's

location in the valley). A large quantity of groundwater recharge occurs by infiltration of precipitation onto the valley plain in the Springfield-Eugene area. Groundwater also enters the project area from the east along the McKenzie river drainage and from the south along the Coast Fork and Middle Fork drainages of the Willamette River. Groundwater leaves the project area by regional outflow as groundwater and also as discharge to the McKenzie and Willamette Rivers. Groundwater is also withdrawn by water wells.

#### **B. Groundwater Use**

SUB and Rainbow Water District are the primary providers of groundwater in the project area serving approximately 64,000 people. Water demand varies seasonally and several of the wells are used primarily in the dryer summer months. The average day demand for the combined SUB-Rainbow water system is about 10 to 11 million gallons per day (MGD). This demand peaks in the summer months at about 23 - 24 MGD. The Eugene Water & Electric Board (EWEB) is the other major water supplier in the area and currently withdraws all of its supply as surface water from the McKenzie River.

### **III. CRITERIA AND ANALYSIS**

#### **A. Character of the Request**

This application request is characterized as a Post-Acknowledgement Plan Amendment (PAPA) to the Lane County Rural Comprehensive Plan (RCP). The applicant requests that the delineated and certified Springfield wellhead protection area be recognized as a significant Goal 5 groundwater resource. The RCP Goal 5 Water Resources Policies are proposed for amendment to identify the inventory and direct future development of protection measures for the resource.

#### **B. Evaluation**

The application addresses the Goal 5 requirements of Oregon Administrative Rules (OAR) 660-023-0140 which authorizes Lane County to add the Springfield wellhead protection area to the Lane County Rural Comprehensive Plan "Significant Groundwater Resources Inventory". The Lane Code requirements of LC 16.400 that govern review of Plan Amendments are also addressed below.

##### **1. Classification of Amendment**

*LC 16.400(8)(a) Amendments to the Rural Comprehensive Plan shall be classified according to the following criteria:*

- (i) Minor Amendment. An amendment limited to the Plan Diagram only and, if requiring an exception to Statewide Planning Goals, justifies the exception solely on the basis that the resource land is already built upon or is irrevocably committed to other uses not allowed by an applicable goal.*
- (ii) Major Amendment. Any amendment that is not classified as a minor amendment.*

The City of Springfield and the Springfield Utility Board request that the Lane County Goal 5 Inventory of Significant Groundwater Resources be amended to include the area delineated as a Wellhead Protection Area by the Public Health Division. Since the proposal does not require an amendment to the Plan Diagram only, it is classified as a Major Amendment.

**2. Plan Amendment Criteria**

*Lane Code 16.400(6)(h)(iii) The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:*

*(aa) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan component or amendment meets all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.*

The applicable requirements of the Oregon Administrative Rules and the Statewide Planning Goals are adequately addressed below.

*(bb) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is:*

*(i-i) necessary to correct an identified error in the application of the Plan; OR*

*(ii-ii) necessary to fulfill an identified public or community need for the intended result of the component or amendment; OR*

*(iii-iii) necessary to comply with the mandate of local, state or federal policy or law; OR*

*(iv-iv) necessary to provide for the implementation of adopted Plan policy or elements; OR*

*(v-v) otherwise deemed by the Board, for reasons briefly set forth in its decision, to be desirable, appropriate or proper.*

This request is in conformance with Lane Code 16.400(6)(h)(iii)(bb)(iii-iii) above. Lane County is mandated to comply with Oregon Administrative Rule (OAR) 660-015-0000(5) which requires Lane County to inventory significant groundwater resources and develop a program to protect the resource for present and future generations. This proposal is a request for a Post Acknowledgement Plan Amendment (PAPA) to add the delineated and certified Springfield wellhead protection area to the significant Groundwater Resources Inventory. The proposed action satisfies the inventory component of the requirement and provides the basis for development of a program to protect the resource.

**3. Statewide Planning Goal 5 Significant Groundwater Resources**

**Goal 5: To protect natural resources and conserve scenic and historic areas and open spaces.**

**Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and**

**future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability. OAR 660-015-0000(5)**

**The following resources shall be inventoried:**

...

**f. Groundwater Resources;**

...

**Following procedures, standards, and definitions contained in commission rules, local governments shall determine significant sites for inventoried resources and develop programs to achieve the goal.**

The procedures, standards and definitions applicable to the determination of significant groundwater resources are found in the Oregon Administrative Rules 660-0223-0140 addressed below. The delineated wellhead protection area has been developed in accordance with the relevant provisions as discussed below. Adoption of this area by the Board of Commissioners as the significant inventory for the groundwater resource in the Rural Comprehensive Plan conforms to Goal 5 requirements. The Goal 5 RCP Water Resources policies need to be amended to identify the inventory in the Plan and set policy for development of a program to protect the resource.

The following policy is proposed for inclusion in the Plan as Goal 5 Water Resources Policy 6:

“The significant groundwater resource inventory for Lane County shall consist of those wellhead protection areas meeting the requirements of OAR 660-023-0140(5)(a) that have been delineated and certified by the Oregon Public Health Division. The certified wellhead protection areas shall be adopted into the Goal 5 inventory by Board Ordinance. The adopted area boundaries shall form the basis for development of wellhead protection plans in accordance with OAR 340-040-0180.”

#### **4. Oregon Administrative Rules (OAR)**

OAR 660-023-0140(2) requires local governments to amend acknowledged plans prior to or at each periodic review in order to inventory and protect significant groundwater resources under Goal 5. Significant groundwater resources include wellhead protection areas delineated in accordance with OAR 660-023-0140(4) and (5):

**OAR 660-023-0140 (4) A local government or water provider may delineate a wellhead protection area for wells or wellfields that serve lands within its jurisdiction. For the delineation of wellhead protection areas, the standards and procedures in OAR chapter 333, division 61 (Oregon Health Division rules) shall apply rather than the standards and procedures of OAR 660-023-0030.**

A “wellhead protection area” is the surface and subsurface area surrounding a water well, spring, or wellfield, supplying a public water system, through which contaminants are reasonably likely to move toward and reach that water well, spring, or wellfield. OAR 660-023-0140(6)(e).

#### **A. Wellhead Protection Area**

Each of the SUB/Rainbow wells, wellfields, and their respective delineated time of travel (TOT) zones are represented on Exhibit #1, which shows the complete Springfield Wellhead Protection Area. Exhibit #2 depicts the individual well field areas with the TOT zones. The individual wellfields that comprise the Springfield Wellhead Protections area proposed for inclusion on the RCP inventory consist of lands within the following areas: :

- The delineated areas for the I-5, Sports Way, Maia, 16<sup>th</sup> & Q, Pierce, and Platt 1 & 2 encompass lands north of the City of Springfield between the McKenzie River and the urban growth boundary.
- The delineated area for the Willamette wellfield encompasses lands south of the City of Springfield between the urban growth boundary and the Middle Fork Willamette River and some additional lands to the east and south of the Middle Fork Willamette River.
- The delineated time of travel area for the Chase wellfield encompasses lands north of the City of Springfield between the McKenzie River and the urban growth boundary. It also crosses over to the north of the McKenzie River.
- The delineated time of travel area for the Weyerhaeuser wellfield encompasses lands north of the City of Springfield between the McKenzie River and the urban growth boundary. The delineated zone of contribution area for the Weyerhaeuser wellfield crosses over to the north side of the McKenzie River.
- The delineated time of travel area for the Thurston wellfield encompasses lands north of the City of Springfield between the McKenzie River and the urban growth boundary. It also crosses over to the north side of the McKenzie River. The zone of contribution for the Thurston wellfield extends along the McKenzie River and Cedar Creek corridors to Hendricks Bridge.

A “delineation” is a determination that has been certified by the Oregon Health Division pursuant to OAR 333-061-0057, regarding the extent, orientation, and boundary of a wellhead protection area, considering such factors as geology, aquifer characteristics, well pumping rates, and time of travel. OAR 660-023-0140(6)(a).

Under Oregon's Drinking Water Protection Program, the Department of Human Services Public Health Division (PHD) (formerly Oregon Health Division (OHD)) has responsibility for certifying groundwater-derived wellhead protection areas in

the State. The delineations of the wellhead protection area for all of Springfield's wells were conducted in accordance with state requirements and certified by OHD in April 1997. The delineations were recertified by OHD in March 1999 in Certification #0002R, Exhibit #4, and by PHD in July 2008 in Certification #0002R version 2, Exhibit #3.

## **B. Delineation Projects**

- In 1992, the Environmental Protection Agency (EPA), State of Oregon, and SUB funded a pilot delineation project to help the state develop delineation methodology for the statewide Drinking Water Protection Program. This project delineated the SUB/Rainbow Weyerhaeuser Wellfield using the two-dimensional computer model KOWPATH as a demonstration project.
- In April 1995, Golder Associates performed delineations for the SP/MAIA, Thurston/Platt, Willamette, 1-5, and Q Street wellfields. This project refined the groundwater flow conceptual model for the area. The study applied the U.S. Geological Survey (USGS) MODFLOW and MODPATH groundwater modeling and particle tracking programs to develop maps showing the 1-, 5-, 10-, and 20-year TOT. A vulnerability assessment and source inventory for the Rainbow wellfields was also performed.
- In July 1996, EGR & Associates, Inc. applied the MODFLOW and MODPATH programs to the Rainbow Chase Wellfield to develop 1-, 5-, 10-, and 20-year TOT and Zone of Contribution (ZOC) data for mapping.
- In October 1996, Golder Associates added the new SUB Sports Way well to the model and revised the delineations for the I-5/Sports Way wells.
- In June 1997, the University of Oregon InfoGraphics Department combined all delineations, land uses, and an updated contaminant source inventory into one shaded relief map.
- In December 1998, delineations for future wells and existing wells were completed using the MODFLOW and MODPATH models by Western Groundwater Services.
- In March of 2007, the Springfield Utility Board (SUB) and the City began the recertification process for Springfield's Drinking Water Protection Plan (Plan) at the request of the Oregon Department of Environmental Quality (DEQ). As part of the re-certification process, SUB was required to provide information on "any conditions that could potentially modify the boundaries of the wellhead protection area." SUB determined those conditions existed in the Willamette Wellfield due to the development of a perimeter drain well with a production capacity of 1200 gallons per minute as a component of constructing the Willamette Slow Sand Filtration Plant in 2002. Hydrologic data showed that the added pumping capacity in the Willamette Wellfield created a significant change in the time of travel zone delineation internal to that specific wellfield. This change

precipitated the need to update the Willamette Wellfield time of travel zones as part of state re-certification of the Plan.

### **C. Delineation Process**

- The following activities were performed to complete the delineations:
- Development of a hydrogeological conceptual model for the aquifer area relevant to the wellfields;
- Construction of a three-dimensional numerical groundwater flow model;
- Evaluations of groundwater travel times and pathlines for each wellfield; and
- Preparation of maps showing the 1-, 5-, 10-, and 20-year time of travel drinking water protection areas and the total zone of contribution (ZOC) for each wellfield.

A more comprehensive description of the delineation methodology prepared by Mark Cunnane, PE PG of Western Groundwater Services is attached as Exhibit #5.

**OAR 660-023-0140 (5) A wellhead protection area is a significant groundwater resource only if the area has been so delineated and either:**

**(a) The public water system served by the wellhead area has a service population greater than 10,000 or has more than 3,000 service connections and relies on groundwater from the wellhead area as the primary or secondary source of drinking water; or**

**(b) The wellhead protection area is determined to be significant under criteria established by a local government, for the portion of the wellhead protection area within the jurisdiction of the local government.**

The Springfield Utility Board (SUB) and Rainbow Water District operate 35 wells to produce water from extensive aquifers located beneath the Springfield area and serve approximately 64,000 people. Those portions of the aquifers that actually yield water to the community's wells have been identified or delineated. The delineations of the wellhead protection area for all of Springfield's wells were conducted in accordance with state requirements and certified by Oregon Health Division (OHD) in April 1997. The delineations were recertified by OHD in March 1999 in Certification #0002R, Exhibit #4, and by Public Health Division (PHD) in July 2008 in Certification #0002R version 2, Exhibit #3.

**OAR 660-023-0140 (6) Local governments shall develop programs to resolve conflicts with wellhead protection areas described under section (5) of this rule. In order to resolve conflicts with wellhead protection areas, local governments shall adopt comprehensive plan provisions and land use regulations, consistent with all applicable statewide goals, that:**

**(a) Reduce the risk of contamination of groundwater, following the standards and requirements of OAR chapter 340, division 40; and**

**(b) Implement wellhead protection plans certified by the Oregon Department of Environmental Quality (DEQ) under OAR 340-040-0180.**

The proposed RCP Goal 5 Water Resources Policy 6 directs the development of a wellhead protection plan to protect the resource in accordance with OAR 340-040-0180 as required by this provision: *“The significant groundwater resource inventory for Lane County shall consist of those wellhead protection areas meeting the requirements of OAR 660-023-0140(5)(a) that have been delineated and certified by the Oregon Public Health Division. The certified wellhead protection areas shall be adopted into the Goal 5 inventory by Board Ordinance. The adopted area boundaries shall form the basis for development of wellhead protection plans in accordance with OAR 340-040-0180.”*

The proposed RCP Goal 5 Water Resources Policy #3 for lands removed from the Eugene-Springfield Metropolitan Area General Plan by Ordinance No. PA 1290 in June of 2013 identifies the process for review of certain applications: *“Review of any Post Acknowledgement Plan Amendment (PAPA) applications for lands located within the Springfield Wellhead Protection Area sensitive time of travel zones depicted on Exhibit B of Ordinance No. PA 1290 shall utilize the decision-making authority and process contained within the Intergovernmental Agreement between the City of Springfield and Lane County effective June 4, 2013 (Lane County Contract #50609).”* The purpose of the policy is to clearly identify the applicable procedures and policies for application submittals within the Wellhead Protection Area.

**5. STATEWIDE PLANNING GOALS**

As directed by ORS 197.175(2)(a), comprehensive plan amendments must comply with the Statewide Planning Goals.

**Goal 1: Citizen Involvement**

**To provide for widespread citizen involvement.**

This goal requires that citizens and affected public agencies be provided an opportunity to comment on the proposed plan amendment. As part of the application review process, public notification in the form of a mailed notice is sent by Lane County to affected public agencies, including local service providers, and the Department of Land Conservation and Development (DLCD). All owners of record of the properties within the identified wellhead protection area east of I-5 and outside of the Urban Growth Boundary are also notified. Public notice of the Planning Commission and Board of Commissioners hearings are published in the Register-Guard and Springfield News, general circulation newspapers of the Eugene-Springfield area.

**Goal 2: Planning**

**To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

This goal requires governmental units to adopt land use plans and implementation ordinances after public hearing. Lane County has conformed to the Goal through adoption of the Rural Comprehensive Plan (RCP) and the implementing ordinances found in Lane Code Chapter 16. The proposed amendment to the Goal 5 Water Resources Policies establishes the policy framework for identification and protection of significant groundwater resources in the Rural Comprehensive Plan. The County is required to provide for review and comment by citizens and affected governmental units during any revision of the plan and implementing ordinances. Lane County's Lane Code Chapter 14 specifies certain criteria that must be met to justify an amendment to the comprehensive plan. The criteria are addressed in this application; therefore, the application is consistent with Goal 2.

### **Goal 3: Agricultural Lands**

**To preserve and maintain agricultural lands.**

This goal recognizes the importance of maintaining agricultural lands as those are defined under the goal. In western Oregon, agricultural land consists of predominantly Class I through IV soils identified by the Natural Resources Conservation Service and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm and irrigation purposes, existing land use patterns, technological and energy input required, for accepted farm practices. Agricultural lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the state's agricultural land use policy expressed in ORS 215.243 and 215.700.

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource does not restrict the allowable farm uses on identified agricultural lands within the delineated area. Development of any future wellhead protection Plan that directly regulates farming practices for the purpose of protecting water quality on agricultural lands is required to be developed and implemented by the Oregon Department of Agriculture in accordance with Oregon Department of Agriculture authorities [OAR 340-040-0170(1)(d)(C)]. In this manner, the protection of significant groundwater resources within agricultural lands remains consistent with Goal 3.

### **Goal 4: Forest Lands**

**To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.**

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource does not restrict the allowable forest uses on identified forest lands within the delineated area. The authority and regulation of Forest practices by the Department of Forestry is not affected by the designation of the Springfield Wellhead Protection Area as a significant groundwater resource. In this manner, the protection of significant groundwater resources within forest lands is consistent with Goal 4.

**Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces**  
**To protect natural resources and conserve scenic and historic areas open spaces.**

The administrative rules found at OAR 660-023-0140(2) requires local governments to amend acknowledged plans prior to or at each periodic review in order to inventory and protect significant groundwater resources under Goal 5. The Springfield Wellhead Protection Area has been delineated in accordance with the standards and procedures of OAR 333-061-0057 (Oregon Health Division) rules. The identified wellhead protection area is a significant groundwater resource as established in OAR 660-023-0140(5)(a) because the public water systems operated by the Springfield Utility Board and Rainbow Water District have a service population of approximately 64,000 people. The proposed revisions to the RCP are in conformance with Goal 5.

**Goal 6: Air, Water and Land Resources Quality**  
**To maintain and improve the quality of the air, water and land resources of the state.**

The inclusion of the Springfield Wellhead Protection Area on the RCP significant Goal 5 Groundwater Resource inventory is the first step to protection of the groundwater resource. This area surrounds the public water systems of the Springfield Utility Board and the Rainbow Water District which are the primary source of drinking water for the City of Springfield. The adoption of this area provides the basis for future development of a wellhead protection plan to protect the significant resource in accordance with OAR 340-040-0170. These measures taken to maintain the quality of the water are consistent with Goal 6.

**Goal 7: Areas Subject to Natural Disasters and Hazards**  
**To protect life and property from Natural Disasters and Hazards.**

Under this goal, natural hazards are identified as floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. The inclusion of the Springfield Wellhead Protection Area on the RCP significant Goal 5 Groundwater Resource inventory forms the basis for future development of a wellhead protection plan to protect the significant resource in accordance with OAR 340-040-0170. Any development of a drinking water protection plan in the future will include consideration of potential contamination

of the resource from natural disasters and hazards consistent with Goal 7 requirements.

**Goal 8: Recreational Needs**

**To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including Destination Resorts.**

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource does not restrict recreational activities on any lands zoned for Park and Recreation. Therefore, the proposal is consistent with Goal 8 requirements.

**Goal 9: Economic Development**

**To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.**

The goal contemplates that comprehensive plans and policies will contribute to a stable and healthy economy in the state. The goal primarily addresses commercial and industrial development within urban areas. To the extent that the inclusion of the Springfield Wellhead Protection Area on the RCP significant Goal 5 Groundwater Resource inventory provides the basis for future development of a wellhead protection plan to protect the primary source of drinking water for the City of Springfield, the proposal is consistent with Goal 9.

**Goal 10: Housing**

**To provide for the housing needs of the citizens of the state.**

The goal contemplates that comprehensive plans and policies will maintain an adequate supply of housing within urban areas. To the extent that the inclusion of the Springfield Wellhead Protection Area on the RCP significant Goal 5 Groundwater Resource inventory provides the basis for future development of a wellhead protection plan to protect the primary source of drinking water for the residents of the City of Springfield, the proposal is consistent with Goal 10.

**Goal 11: Public Facilities and Services**

**To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

The inclusion of the Springfield Wellhead Protection Area on the RCP significant Goal 5 Groundwater Resource inventory provides the basis for future development of a wellhead protection plan to protect the primary source of drinking water provided to the residents of the City of Springfield by the

Springfield Utility Board and the Rainbow Water District. The proposal is consistent with Goal 11.

**Goal 12: Transportation**

**To provide and encourage a safe, convenient and economic transportation system.**

The inclusion of the Springfield Wellhead Protection Area on the RCP significant Goal 5 Groundwater Resource inventory does not affect any transportation elements. The proposal is consistent with Goal 12.

**Goal 13: Energy Conservation**

**To conserve energy.**

This goal contemplates that land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. To the extent that the inclusion of the Springfield Wellhead Protection Area on the RCP significant Goal 5 Groundwater Resource inventory provides the basis for future development of a wellhead protection plan which can minimize the need for additional energy intensive water treatment facilities, the proposal is consistent with Goal 13.

**Goal 14: Urbanization**

**To provide for an orderly and efficient transition from rural to urban use.**

The properties within the proposed wellhead protection area are not within an urban growth boundary and are not urbanizable; therefore, this goal does not have relevance to this application. The portions of the Springfield wellhead protection area within the urban growth boundary of Springfield are already protected by the Springfield Drinking Water Protection Plan adopted by the Board of Commissioners in Ordinance No. PA 1206 in 2004.

**Goal 15 Willamette Greenway**

**To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.**

The identified wellhead protection area for the Willamette wellfield encompass areas within and adjacent to the Middle Fork Willamette River. The protection of water resources to maintain water quality near the Willamette River within the Willamette Greenway boundaries is consistent with Goal 15.

**Goal 16: Estuarine Resources**

**Goal 17: Coastal Shorelands**

**Goal 18: Beaches and Dunes**

**Goal 19: Ocean Resources.**

These four goals are geographically oriented to coastal resources, therefore, are not applicable to groundwater resources within the Willamette Valley.

**IV. SUMMARY**

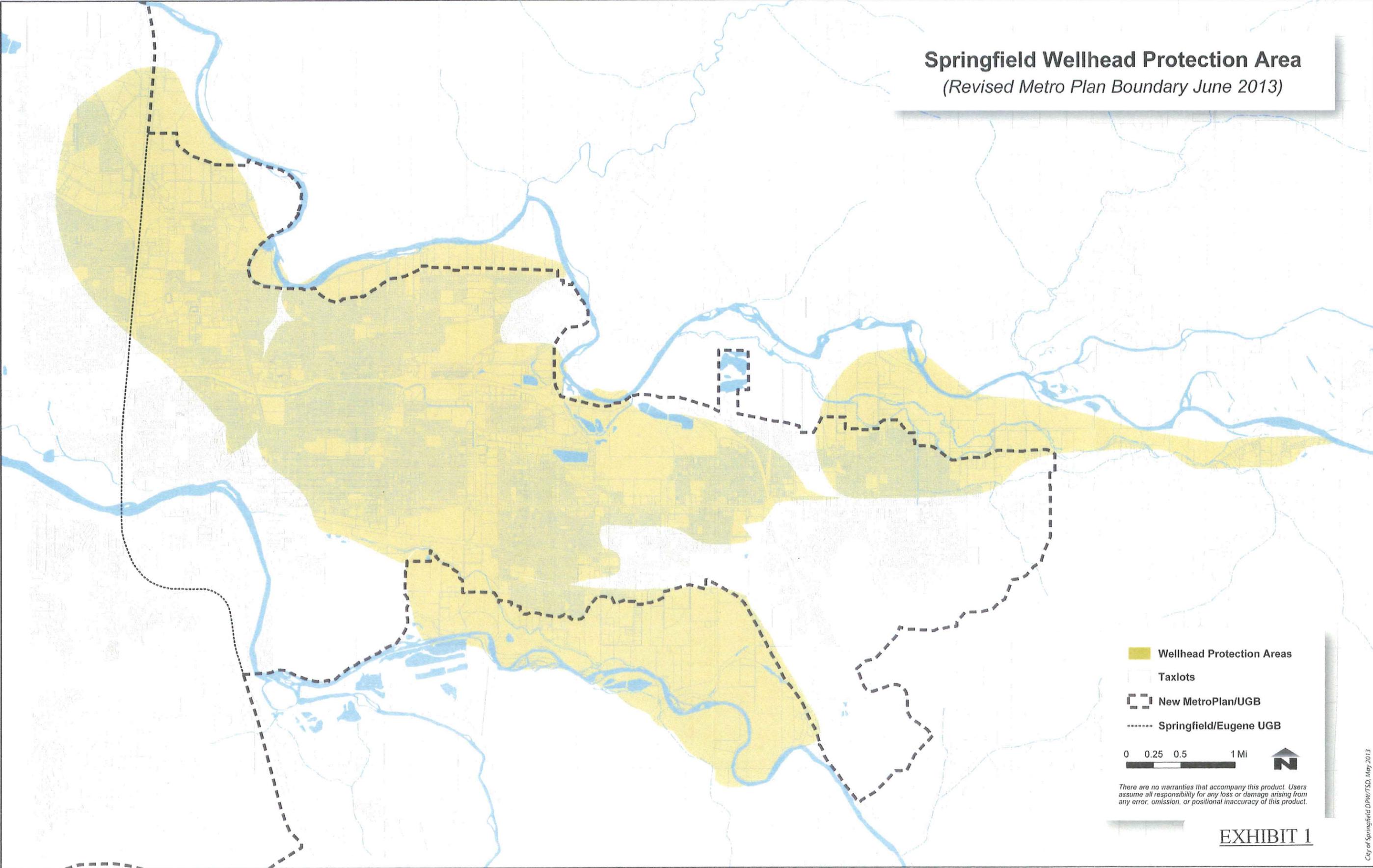
A wellhead protection area for the wells that supply drinking water for 64,000 Springfield residents has been delineated and certified in accordance with the Oregon Health Division requirements that implement the Federal Safe Drinking Water Act of 1986. Statewide Planning Goal 5 requires the inventory of groundwater resources in Lane County. The applicant respectfully requests that the delineated and certified Springfield wellhead protection area be adopted as the significant groundwater resource inventory for Lane County.

**V. EXHIBITS**

1. Map of Springfield Wellhead Protection Area
2. Significant Groundwater Resources Inventory Map
3. Dept. of Human Services Drinking Water Program Delineation Certification # 0002R version 2 Dept. Of / Public Health Division July 25, 2008
4. Oregon Health Division Delineation Certification # 0002R March 18, 1999
5. Wellhead Protection Area Delineation Methodology
6. Letter from Rainbow Water District
7. List of properties within Wellhead Protection Area outside of Springfield UGB, east of I-5
8. Exhibit "B" to Ordinance No. PA 1290
9. List of properties within Wellhead Protection Area outside of Springfield UGB, east of I-5, formerly within Metro Plan Boundary
10. Proposed RCP Goal 5 Water Resources Policies in legislative format
11. Maps of individual wellhead time of travel zones
  - A. I-5 & Sports Way Wellfield Area
  - B. Mid-Springfield Wellfield Area Detail
  - C. Thurston Wellfield Area Detail
  - D. Willamette Wellfield Area Detail

# Springfield Wellhead Protection Area

(Revised Metro Plan Boundary June 2013)



- Wellhead Protection Areas
- Taxlots
- New MetroPlan/UGB
- Springfield/Eugene UGB

0 0.25 0.5 1 Mi

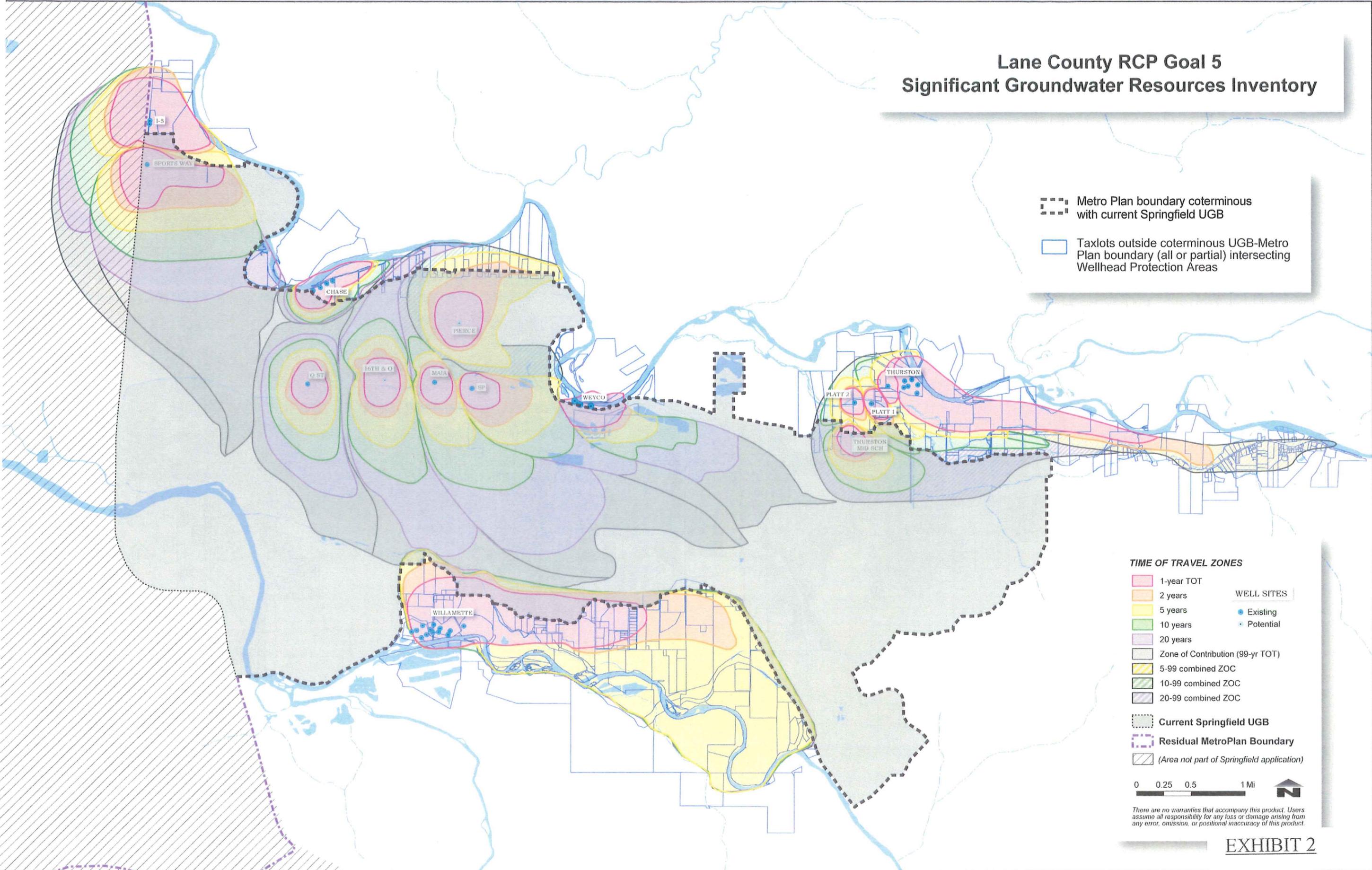


There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission, or positional inaccuracy of this product.

**EXHIBIT 1**

City of Springfield DPW/TSD, May 2013

# Lane County RCP Goal 5 Significant Groundwater Resources Inventory



--- Metro Plan boundary coterminous with current Springfield UGB

□ Taxlots outside coterminous UGB-Metro Plan boundary (all or partial) intersecting Wellhead Protection Areas

**TIME OF TRAVEL ZONES**

- 1-year TOT
- 2 years
- 5 years
- 10 years
- 20 years
- Zone of Contribution (99-yr TOT)
- 5-99 combined ZOC
- 10-99 combined ZOC
- 20-99 combined ZOC

**WELL SITES**

- Existing
- Potential

--- Current Springfield UGB

--- Residual MetroPlan Boundary

▨ (Area not part of Springfield application)

0 0.25 0.5 1 Mi

There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission, or positional inaccuracy of this product.

**EXHIBIT 2**



# Oregon

Theodore R. Kulongoski.

## Department of Human Services

Public Health Division  
Drinking Water Program  
444 A Street  
Springfield, OR 97477-4606  
(541) 726-2587 Ext. 24  
Fax (541) 726-2596  
TTY-Nonvoice (971) 673-0372

July 25, 2008

Charles S. Davis  
Springfield Utility Board  
Water Service Center  
202 South 13th Street  
Springfield, Oregon

RECEIVED  
JUL 29 2008  
SUB WATER DIV

Re: Department of Human Services Drinking Water Program Delineation Certification # 0002R  
version 2

Dear Mr. Davis:

Under the Administrative Rules that apply to Oregon's EPA-approved Drinking Water Protection Program, the Department of Human Services Public Health Division (formerly Oregon Health Division) has the responsibility of certifying groundwater-derived drinking water protection areas in the State (see DEQ's OAR 340-40-180 (3)). This certification is granted after technical review assures that the submitted delineations meet minimum requirements for the system as outlined in PHD's OAR 333-61-057, and that the delineation is a hydrogeologically reasonable representation of the capture zone of the well, wellfield or spring. The delineations of the capture zones for the Sports Way #1, Q Street, Maia and SP1 wells and the IS, Chase, WEYCO, Platt, Thurston and Willamette Wellfields meet the above requirements and are therefore certified collectively as Oregon Health Division Delineation Certificate #0002R version 2.

Springfield Utility Board's service population exceeds 10,000. As such, PHD's certification qualifies the delineated areas as a significant groundwater resource for the purpose of State-Wide Planning Goal 5 (see LCDC's OAR 660-23-140). Doug White of DLCD [(541) 318-8193] can answer questions regarding state-wide planning goals.

As you continue your efforts in modifying your drinking water protection plan, the PHD Drinking Water Program can provide technical assistance and guidelines.

We appreciate the investment that Springfield Utility Board is making on behalf of their drinking water resource. We also wish to thank you for your continued and constructive assistance in the development of Oregon's Drinking Water Protection Program.

Sincerely,

Tom Pattee, R.G.  
Natural Resource Specialist  
DHS/PHD Drinking Water Program

cc: Sherree Stewart, DEQ; Doug White, DLCD; Mark Cunnane, Western Groundwater Services

This can be obtained in an alternate format by calling: (541) 726-2587 ext. 25

*Assisting People to Become Independent, Healthy and Safe*  
An Equal Opportunity Employer

**EXHIBIT 3**





# Oregon

John A. Kitzhaber, M.D., Governor

Department of Human Resources  
Health Division/Drinking Water Program

442 A Street  
Springfield, OR 97477  
(503) 731-4030 Emergency  
(541) 726-2586  
FAX (541) 726-2596  
TTY-Nonvoice (503) 731-4031

March 18, 1999

Charles S. Davis  
Springfield Utility Board  
Water Service Center  
202 South 13th Street  
Springfield, Oregon



Re: Oregon Health Division Delineation Certification # 0002R

Dear Mr. Davis:

Under the Administrative Rules that apply to Oregon's EPA-approved Drinking Water Protection Program, the Oregon Health Division has the responsibility of certifying groundwater-derived drinking water protection areas in the State (see DEQ's OAR 340-40-180 (3)). This certification is granted after technical review assures that the submitted delineations meet minimum requirements for the system as outlined in OHD's OAR 333-61-057, and that the delineation is a hydrogeologically reasonable representation of the capture zone of the well, wellfield or spring. The delineations of the capture zones for Springfield's proposed wells 15th & Q, Pierce, Thurston Middle School, and Thurston 5, 6 and 7, as well as modifications to all the previously delineated areas, meet the above requirements and are therefore certified. Given that many of the fields, initially certified under #0002, have been revised, all of the wells and well fields, i.e., those mentioned above plus the Sportsway, I-5, Chase, Q Street, Maia, SP, Weyerhaeuser, Platt, Thurston and Willamette are recertified as Oregon Health Division Delineation Certificate #0002R.

As you continue your efforts in developing your drinking water protection plan, the Oregon Department of Environmental Quality can provide technical assistance and guidelines. We appreciate the continued investment that Springfield Utility Board is making on behalf of their drinking water resource.

Sincerely,

Dennis Nelson  
Groundwater Coordinator  
Drinking Water Program

c: Sheree Stewart, DEQ

*Springfield Drinking Water Protection Plan - Appendix  
May 1999*

K-1

EXHIBIT 4



## WELLHEAD PROTECTION AREA DELINEATION METHODOLOGY

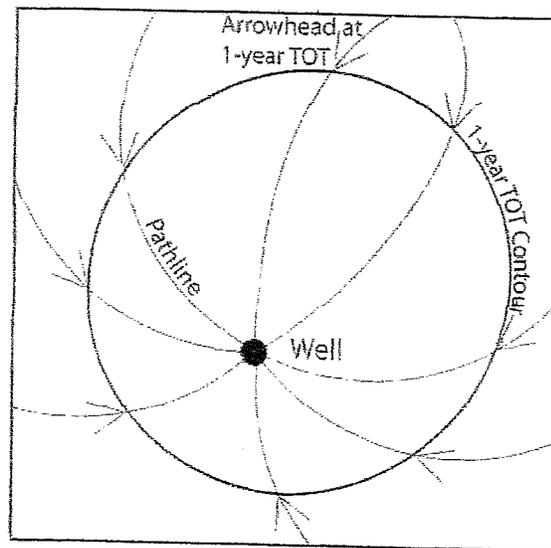
Springfield Utility Board (SUB) first began to evaluate groundwater recharge areas and travel times to water supply wells in 1992 when it undertook a demonstration project with the State focused on the Weyerhaeuser Wellfield. In 1995 SUB expanded its wellhead protection efforts to include all of the wells contributing to the public water system, including those owned by the neighboring Rainbow Water District (RWD). This earlier work was again expanded in 1998 to consider the protection of future wells, and in 2008 shortly after a new filter plant was constructed at the location of the Willamette Wellfield with associated new groundwater resource development.

For each effort, SUB has retained the services of Oregon Professional Engineers and Registered Geologists to evaluate and perform the analyses used to delineate time of travel zones for the water supply wells. This work has then been reviewed by State of Oregon professionals and certified as a state drinking water source area.

Since 1995, the analysis and mapping of the recharge areas to SUB's wells has utilized a numerical groundwater computer model written by the U.S. Geological Survey (USGS), and widely used in the United States and abroad. This model, named 'MODFLOW', has been used to represent the Springfield-area groundwater flow system in three dimensions. It includes representation of each well individually, the major river systems, the horizontal and vertical extent of the aquifers, and the aquifer boundaries occurring at the valley margins and also at depth below the valley. The initial work to create the model involved detailed assessment and mapping of the groundwater resource. Subsequent efforts have built onto and enhanced the initial model.

MODFLOW provides the ability to simulate the velocities of groundwater with inclusion of the effects of multiple pumping wells, precipitation, and hydraulic continuity of the aquifer and surface waters.<sup>1</sup> A companion program, named 'MODPATH', is used to calculate groundwater travel times based on the MODFLOW output. MODPATH also is a USGS computer model creation with wide application.<sup>2</sup>

MODPATH provides a graphical output consisting of pathlines as would be followed by a particle of water when travelling from the recharge area to a water supply well through the groundwater flow system. At the water supply well, the particle is extracted ("pumped") out of the groundwater system. MODPATH actually performs the tracking backwards from the well to the recharge area, calculating the particle movement based on groundwater velocity vectors. Fifty to 100 particles are tracked by computer to the recharge area for each well, and thereby define the well's recharge area. Arrowheads are drawn onto the pathline at a constant time increment, which can be specified, for example as a week, month or year (see figure). In the end result, the entire area that contributes groundwater to a water supply well is defined and



<sup>1</sup> The USGS website for MODFLOW can be viewed at: <http://water.usgs.gov/nrp/gwsoftware/modflow.html>.

<sup>2</sup> The USGS website for MODPATH can be viewed at: <http://water.usgs.gov/software/MODPATH/>.

arrowheads indicate the time of travel (TOT) at uniform increments along the pathlines. The entire recharge area to a well is called the zone of contribution, abbreviated to ZOC.

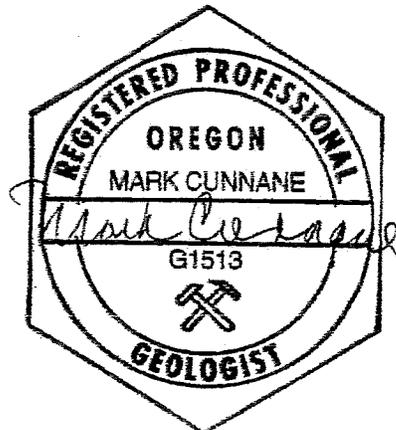
A time of travel zone for a water supply well is mapped based on the pathlines obtained from MODPATH. The boundary of each time of travel zone is delineated by drawing a line that connects the arrowheads of equal travel time for those pathlines that terminate at the well. For the SUB delineations, pathline arrowheads were typically spaced at 1-year increments, facilitating mapping of the 1-, 2-, 5-, 10-, and 20-year time of travel zones. In some cases in the Springfield area, groundwater travel time is relatively fast and the recharge area of a well is moderately small. This situation results in a recharge area with less than 20-years of total travel time. Under this condition, time of travel zones are mapped as appropriate out to the ZOC. This condition has resulted in several of the SUB wells having only the 1-, 2-, 5-, and 10-year time of travel zones mapped.

WESTERN GROUNDWATER SERVICES, LLC



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Mark Cunnane, PE PG  
Principal





Mailing Address: P.O. Box 8, Springfield, OR 97477  
Physical Address: 1550 N. 42<sup>nd</sup> Street, Springfield, OR 97477  
Phone: 541-746-1676 Fax: 541-747-0845  
[www.RWDonline.net](http://www.RWDonline.net)

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June 7, 2013

Lane County Board of Commissioners  
125 East 8<sup>th</sup> Avenue  
Eugene, OR 97401

Re: Support for Addition of Springfield's Groundwater Resources  
To Lane County's Statewide Goal 5 Inventory

Dear Board of County Commissioners,

Rainbow Water District (RWD) enjoys our partnerships with Lane County, the City of Springfield (City), the Springfield Utility Board (SUB), and the Eugene Water and Electric Board (EWEB). In particular, we appreciate our common interest in preserving and protecting the regional drinking water resources that our citizens rely upon every day.

While EWEB is heavily invested in protecting the quality of their McKenzie River water source, and SUB has a vested interest in both local groundwater sources, the McKenzie River, and the Middle Fork of the Willamette River, RWD relies solely upon groundwater to meet the needs of our customers. We serve county customers, utilizing water from 10 wells to serve 2,400 homes between the Springfield city limits and the Springfield Urban Growth Boundary (UGB). In addition, we sell water to SUB to indirectly serve around the same number of city customers.

The majority of our wells are located near the McKenzie River at the north edge of the UGB. Since our wells draw water from areas outside of our political boundaries, our ability to protect our drinking water source is limited for a significant portion of our recharge area.

SUB has initiated an effort to add groundwater as a listed Goal 5 resource on Lane County's inventory. The RWD Board views this as a means to improve the ability of our public agency partners to assist us in guarding this resource that we do not take for granted.

RWD supports SUB's request to adopt the groundwater resource into the Goal 5 inventory, and their proposed amendments to the Lane County Rural Comprehensive Plan and the Metro Plan to address those portions of Springfield's Wellhead Protection Area that lie outside of the City of Springfield's jurisdiction. SUB's diligence in protecting this resource benefits all customers in north Springfield, whether they get a water bill from SUB or RWD.

Sincerely,

Mary Beth Wilson, President  
Rainbow Water District Board of Commissioners

Cc: Jeff Nelson, SUB General Manager

1701300002300	1701321000700	1701322000700	1702190000900
1701310000105	1701321000800	1701322000800	1702190001000
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Taxlots Partially or Completely Within Springfield Wellhead Protection Area

East of I-5 Outside Coterminous UGB - Metro Plan Boundary Page 2

Attachment 2

Page 25

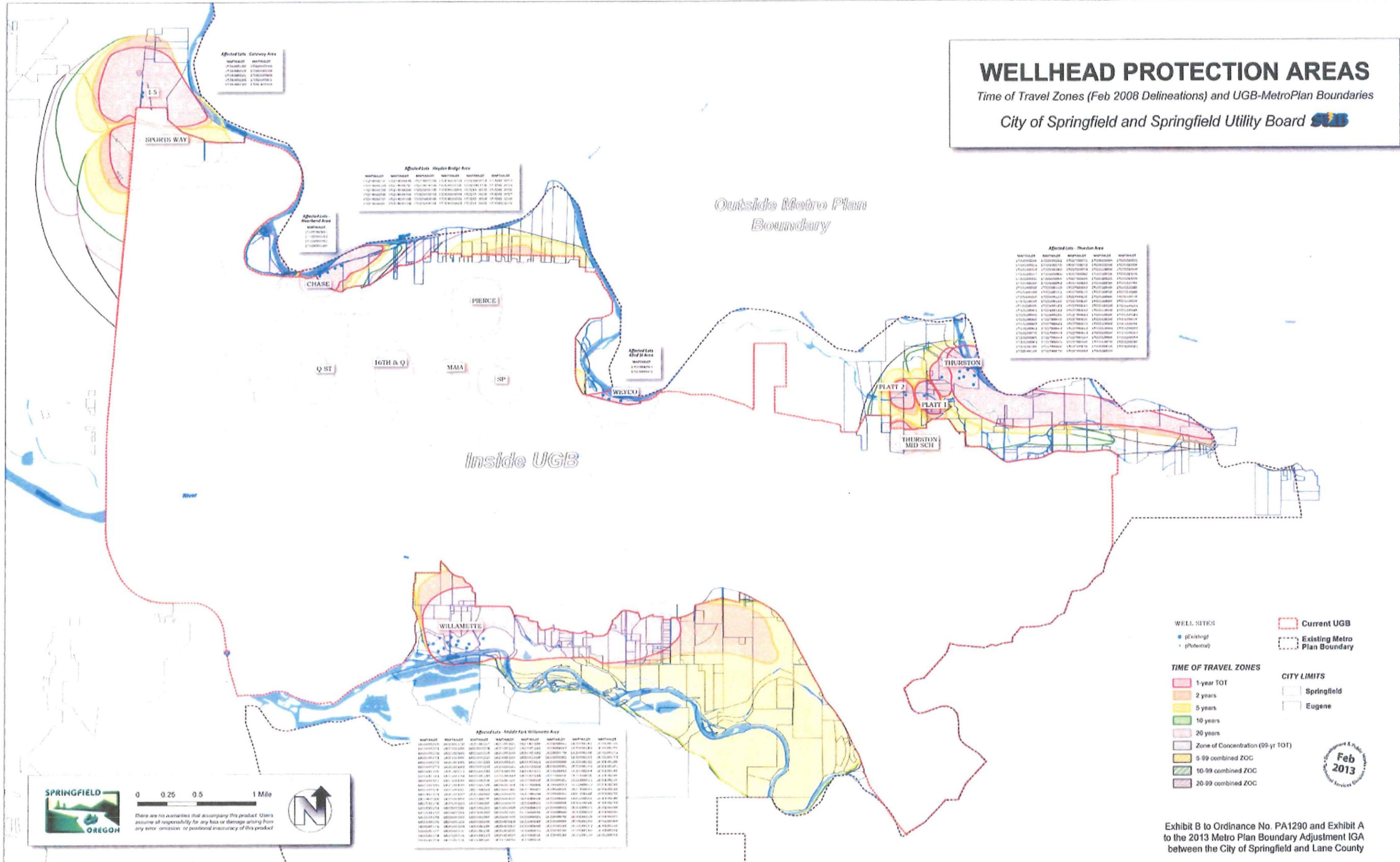
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# WELLHEAD PROTECTION AREAS

Time of Travel Zones (Feb 2008 Delineations) and UGB-MetroPlan Boundaries

City of Springfield and Springfield Utility Board **SUB**



**SPRINGFIELD OREGON**

0 0.25 0.5 1 Mile

There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission, or positional inaccuracy of this product.



Exhibit B to Ordinance No. PA1290 and Exhibit A to the 2013 Metro Plan Boundary Adjustment IGA between the City of Springfield and Lane County

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EXHIBIT 9

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## Water Resources

1. State policy normally promotes multiple use of surface waters throughout Lane County. Under such policy, use conflicts can and do occur. As the first step in addressing this problem, the County urges the Oregon Water Policy Review Board and the Department of Environmental Quality to update the existing water basin plans and establish priorities among the various beneficial uses for specific water areas. The economic, social, environmental and energy consequences of each use should be considered in establishing priorities and resolving any identified conflicts. Lane County will cooperate to the maximum extent practicable in such a program.
2. The County supports congressional reauthorization of upper Willamette basin reservoirs, to reflect actual use priorities. To the extent practicable, the County will cooperate with the Corps of Engineers in resolving existing use conflicts and accommodating the needs of competing uses.
3. Adequacy of water supply, particularly those relying on groundwater sources, shall be a major concern in reviewing major land use changes. For the purpose of applying this policy, major land use change shall be any application reviewed by the Hearings Official or the Planning Commission.
4. The primary means of evaluating groundwater resources for land use planning purposes shall be through the land division review process. The Little Butte Volcanics, Eugene Formation, Fisher Formation, Spencer Formation, Flourney Formation, Alluvium and Older Dunes geological units shall be designated as quality and/or quantity limited aquifers. As such the provisions of Chapter 13, Lane Code (Land Divisions) regarding areas so designated will apply.
5. Land use designations in the Comprehensive Plan and implementing zoning shall be commensurate with groundwater aquifer capacities.
6. The significant groundwater resource inventory for Lane County shall consist of those wellhead protection areas meeting the requirements of OAR 660-023-0140(5)(a) that have been delineated and certified by the Oregon Public Health Division. The certified wellhead protection areas shall be adopted into the Goal 5 inventory by Board Ordinance. The adopted area boundaries shall form the basis for development of wellhead protection plans in accordance with OAR 340-040-0180.

### Lands Removed from the Eugene- Springfield Metropolitan Area General Plan

- 1 For those lands located outside of the City of Springfield's Urban Growth Boundary that were removed from the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) by Ordinance No. PA 1281, the above listed RCP Goal 5 policies shall not apply. Instead, the Goal 5 inventories, policies and findings of the Metro Plan for Riparian Corridors, Wetlands,

additions are shown underlined

EXHIBIT 10

Wildlife Habitat, Mineral and Aggregate Resources and Open Space shall continue to be applicable to those lands by this policy to the same extent they were applicable when those lands were included in the Metro Plan.

2. In reviewing Post Acknowledgment Plan Amendment (PAPA) applications for lands located within sensitive 2- Year Time of Travel Zones identified in the Springfield Drinking Water Protection Plan and further specifically depicted on Exhibit B of Ordinance No. PA 1290 the following Metro Plan and Lane County Rural Comprehensive Plan findings and policies shall be considered:
  1. Metro Plan, The Fundamental Principles Chapter of the Metro Plan including Metropolitan Goals, Environmental Resources, paragraphs 1, 2, 3 and 4,
  2. Metro Plan, Metropolitan Goals, Public Facilities, paragraph 1,
  3. Metro Plan, Environmental Resources Element, Agricultural Lands (Goal 3), Policies 1-4,
  4. Metro Plan, Environmental Resources Element, Riparian Corridors Wetlands and Wildlife Habitat (Goal 5), Policy 8,
  5. Metro Plan, Environmental Resources Element, Mineral and Aggregate Resources (Goal 5), findings 12, 13, 14,
  6. Metro Plan, Willamette River Greenway, River Corridors and Waterways Element, Goal and Policies D5, D6 and D 10,
  7. Metro Plan, Public Facilities and Services Element, Policy G3,
  8. Metro Plan, Public Facilities and Services Element, Services to Development with the Urban Growth Boundary: Water, Findings 11, 12 and 13 Policies 9, 10, 11 and 12,
  9. Metro Plan, Public Facilities and Services Element, Locating and Managing Public Facilities Outside the Urban Growth Boundary, Finding 36,
  10. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Mineral and Aggregate Resources, Policies 1-11,
  11. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Water Resources, Policies 1-4 and 6,
  12. Lane County Rural Comprehensive Plan, Goal 6 Air, Water and Land Resources, Water Quality, Policies 1-7
3. Review of any Post Acknowledgement Plan Amendment (PAPA) applications for lands located within the Springfield Wellhead Protection Area sensitive time of travel zones depicted on Exhibit B of Ordinance No. PA 1290 shall utilize the decision-making authority and process contained within the Intergovernmental Agreement between the City of Springfield and Lane County effective June 4, 2013 (Lane County Contract #50609).

additions are shown underlined

# Lane County RCP Goal 5 Significant Groundwater Resources Inventory I-5 & Sports Way Wellfield Area Detail

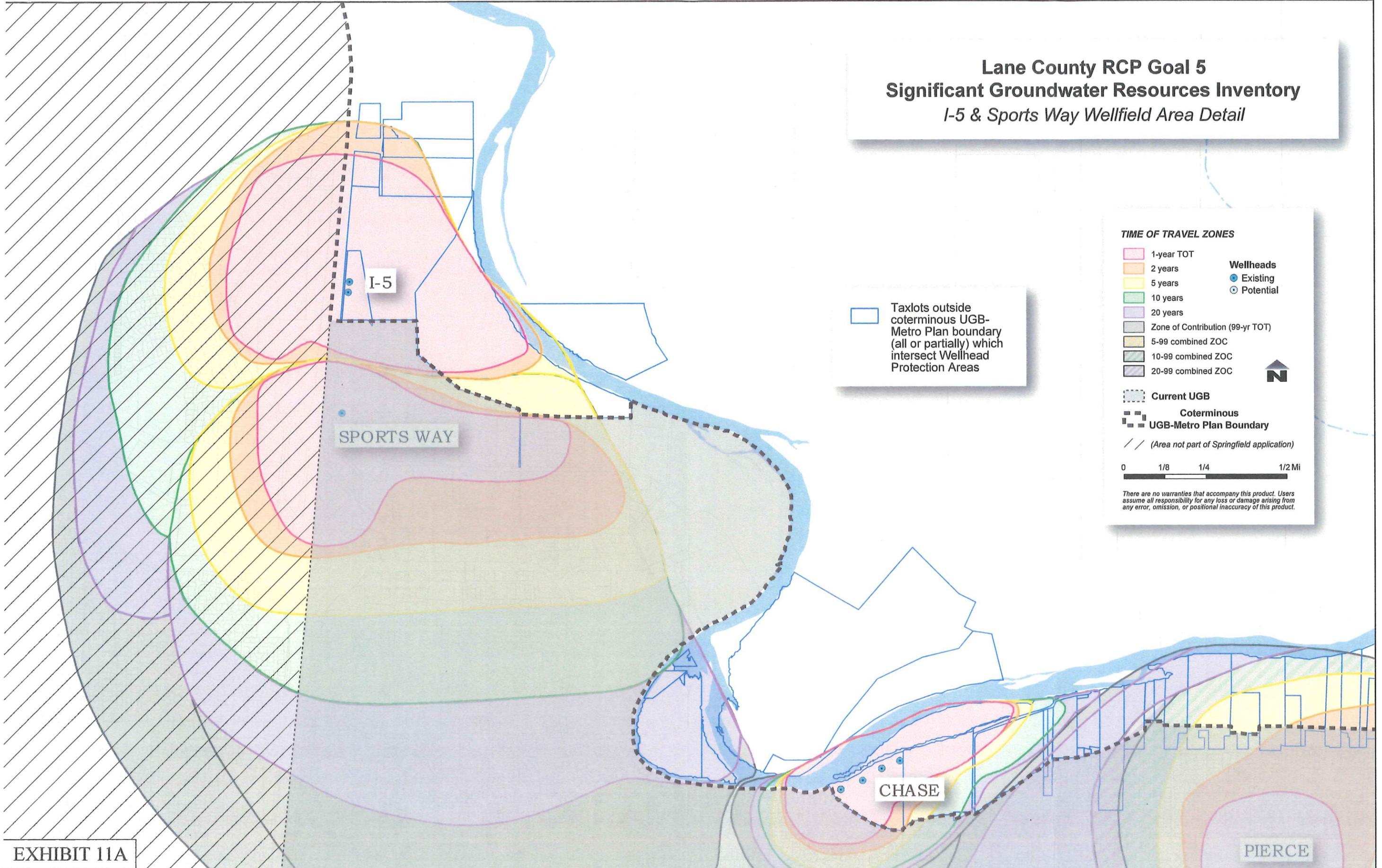


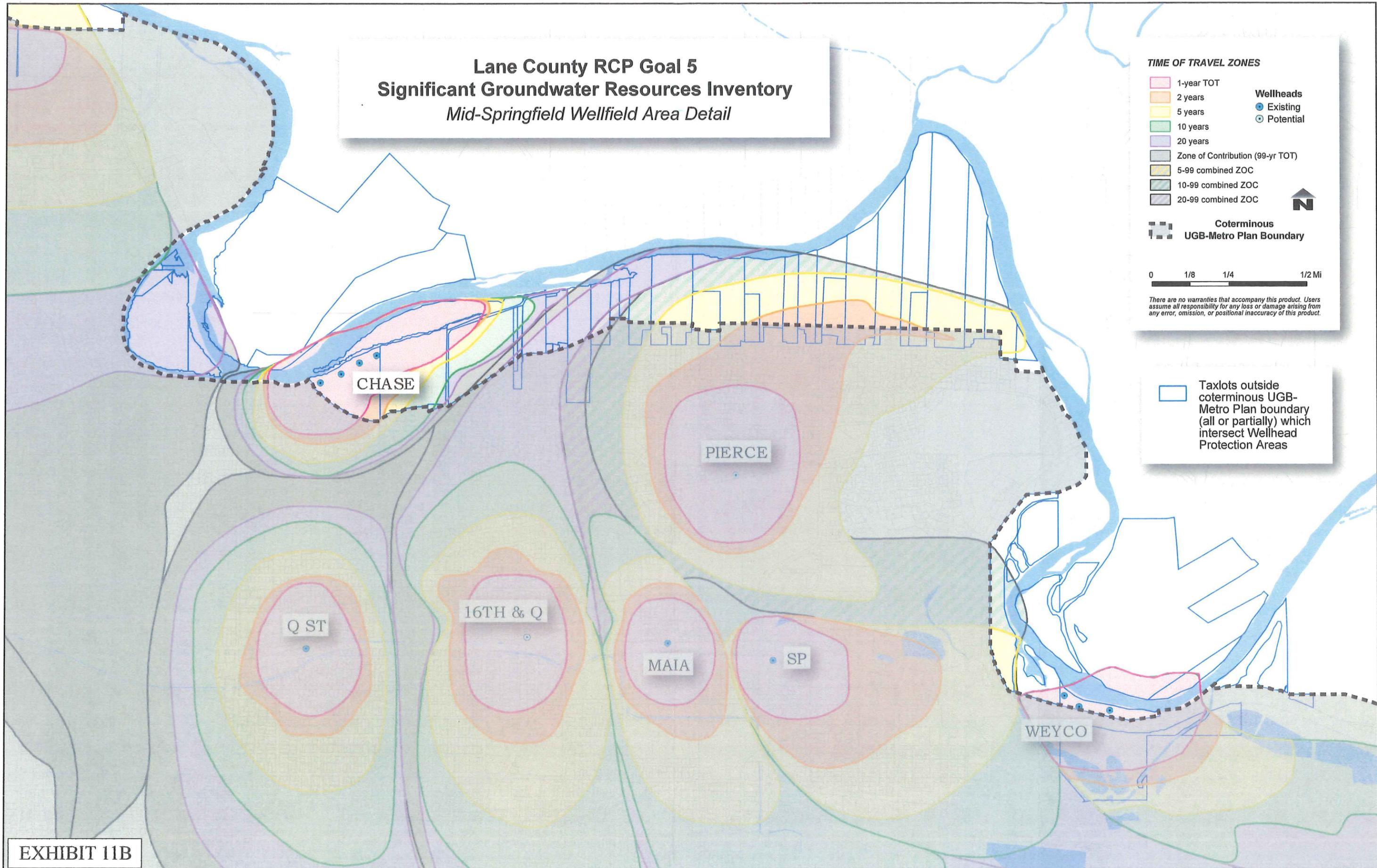
EXHIBIT 11A

**Lane County RCP Goal 5  
Significant Groundwater Resources Inventory  
Mid-Springfield Wellfield Area Detail**



There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission, or positional inaccuracy of this product.

□ Taxlots outside coterminous UGB-Metro Plan boundary (all or partially) which intersect Wellhead Protection Areas



**EXHIBIT 11B**

**Lane County RCP Goal 5  
Significant Groundwater Resources Inventory  
Thurston Wellfield Area Detail**

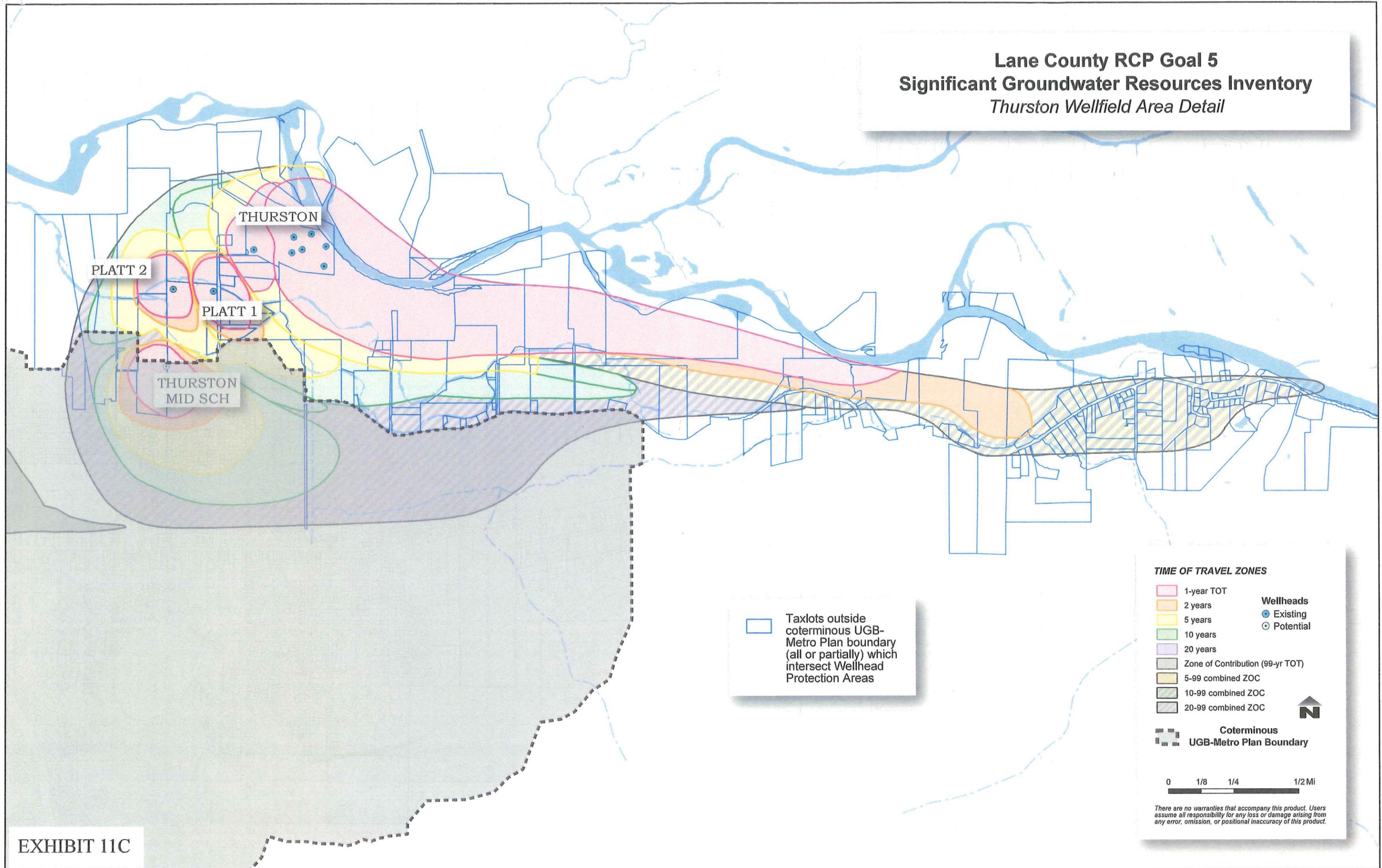
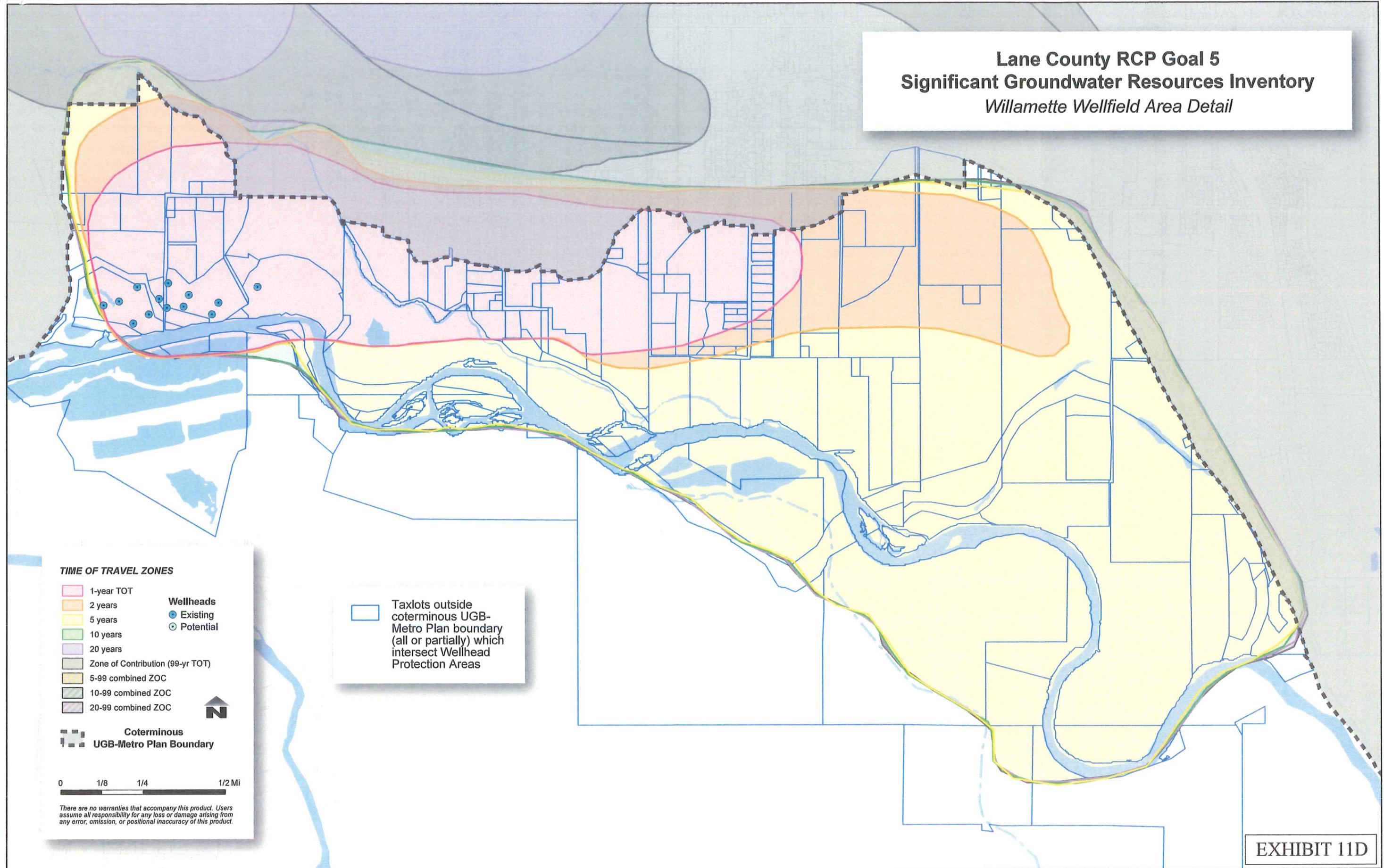


EXHIBIT 11C

**Lane County RCP Goal 5  
Significant Groundwater Resources Inventory  
Willamette Wellfield Area Detail**



**TIME OF TRAVEL ZONES**

- 1-year TOT
- 2 years
- 5 years
- 10 years
- 20 years
- Zone of Contribution (99-yr TOT)
- 5-99 combined ZOC
- 10-99 combined ZOC
- 20-99 combined ZOC

- Wellheads**
- Existing
  - Potential

Taxlots outside coterminous UGB-Metro Plan boundary (all or partially) which intersect Wellhead Protection Areas

**Coterminous UGB-Metro Plan Boundary**

0    1/8    1/4    1/2 Mi

There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission, or positional inaccuracy of this product.

EXHIBIT 11D

October 21, 2013

**Supplemental Statement**

**File No. 509-PA13-05273**

The proposed application to amend the Rural Comprehensive Plan results in the adoption of a wellhead protection area onto the Goal 5 significant groundwater resources inventory of Lane County and includes lands depicted on Exhibit B of Ordinance No. PA 1290. Post Acknowledgement Plan Amendment applications for these lands are subject to Lane County Rural Comprehensive Plan Goal 5 Water Resources Policy 2 for Lands Removed from the Eugene-Springfield Metropolitan Area General Plan. The following statements are submitted to demonstrate conformance with the applicable findings and policies. The policy statements are shown in italicized text followed by applicant responses in plain text.

**Lane County Rural Comprehensive Plan Goal 5 Water Resources Policy 2 for Lands Removed from the Eugene-Springfield Metropolitan Area General Plan**

*In reviewing Post Acknowledgment Plan Amendment (PAPA) applications for lands located within sensitive 2-Year Time of Travel Zones identified in the Springfield Drinking Water Protection Plan and further specifically depicted on Exhibit B of Ordinance No. PA 1290 the following Metro Plan and Lane County Rural Comprehensive Plan findings and policies shall be considered:*

1. *Metro Plan, The Fundamental Principles Chapter of the Metro Plan including Metropolitan Goals, Environmental Resources, paragraphs 1, 2, 3 and 4*
  1. *Protect valuable natural resources and encourage their wise management and proper use and reuse, reflecting their special natural assets.*
  2. *Maintain a variety of open spaces within and on the fringe of the developing area.*
  3. *Protect life and property from the effects of natural hazards.*
  4. *Provide a healthy and attractive environment, including clean air and water, for the metropolitan population.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource satisfies the Goal 5 requirements found in OAR 660-015-0000(5). The detailed delineation of time of travel zones for each wellhead provides a scientific basis for the development of appropriate protection measures for the provision of clean water to the metropolitan population of the City of Springfield. This action is in conformance with the direction provided in paragraphs 1 and 4 above. No conflict has been identified with paragraphs 2 and 3.

2. *Metro Plan, Metropolitan Goals, Public Facilities, paragraph 1*
  1. *Provide and maintain public facilities and services in an efficient and environmentally responsible manner.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource satisfies the Goal 5 requirements found in OAR 660-015-0000(5). The detailed delineation of time of travel zones for each wellhead provides a scientific basis for the development of appropriate protection measures for the groundwater resource. This action will assist in the maintenance of the public water system operated by the Springfield Utility Board and Rainbow Water District providing clean water to the metropolitan population of the City of Springfield. This amendment of the RCP conforms to the goal articulated in paragraph 1 above.

3. *Metro Plan, Environmental Resources Element, Agricultural Lands (Goal 3), Policies 1-4*

- C.1 Where agricultural land is being considered for inclusion in future amendments to the UGB, least productive agricultural land shall be considered first. Factors other than agricultural soil ratings shall be considered when determining the productivity of agricultural land. Relevant factors include suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation, ownership patterns, land use patterns, proximity to agricultural soils or current farm uses, other adjacent land uses, agricultural history, technological and energy inputs required, accepted farming practices, and farm market conditions.*
- C.2 Designated agricultural lands shall be protected for agricultural uses through zoning for exclusive farm use or equivalent acceptable zoning and through application of other protective measures.*
- C.3 During the next Metro Plan update, a study should be initiated to examine ways of buffering and protecting agricultural lands on the urban fringe from the effects of urban development. The study should also evaluate approaches to use in order to maintain physical separation between the Eugene-Springfield metropolitan area and smaller outlying communities.*
- C.4 In addition to any of the above policies, these policies apply to agricultural lands within the Plan Boundary of the Metro Plan but outside the UGB. Lands within the UGB with agricultural soils or that are used for agricultural purposes are not entitled to protection under these policies.*
- a. Encourage agricultural activities by preserving and maintaining agricultural lands through the use of an exclusive agricultural zone which is consistent with ORS 215 and OAR 660 Division 033.*
- b. In Agricultural Rent Zones 1 and 2 preference will be given to Goal 3. In Rent Zone 3, unless commercial agricultural enterprises exist, preference will be given to Goal 4.*
- c. Reserve the use of the best agricultural soils exclusively for agricultural purposes.*
- d. To ensure that zoning districts applied to agricultural lands encourage valid agricultural practices in a realistic manner emphasis shall be placed on minimum parcel sizes which are based upon a countywide inventory and which are adequate for the continuation of commercial agriculture. As minimum parcel sizes decrease to accommodate more specialized commercial agricultural activities, the burden of proof upon the applicant shall increase in order to substantiate the proposed agricultural activity and restrictions shall increase in order to obtain a residence on the commercial farm unit. Deviation from minimum parcel sizes of the Exclusive Farm Use*

- (EFU/RCP) land for the creation of a parcel not smaller than 20 acres may be allowed when at least 19 acres of the parcel being created are currently managed or planned to be managed by a farm management plan for a farm operation consisting of one or more of the following: berries, grapes, or horticultural specialties.*
- e. Use planning and implementation techniques that reflect appropriate uses and treatment for each type of land.*
  - f. Encourage irrigation, drainage and flood control projects that benefit agricultural use with minimum environmental degradation in accordance with existing state and federal regulations.*
  - g. Some agricultural land is not suitable or available for agricultural use by nature of being built upon, committed to or needed for nonagricultural uses, by using applicable comprehensive plan policies and the exceptions process of Goal 2, Part II.*
  - h. Provide maximum protection to agricultural activities by minimizing activities, particularly residential, that conflict with such use. Whenever possible, planning goals, policies, and regulations should be interpreted in favor of agricultural activities.*
  - i. Agricultural lands shall be identified as high value farm lands and farm lands in other soil classes in accordance with OAR 660 Division 033.*
  - j. Such minimum lot sizes or land division criteria as are used in EFU/RCP zones shall be appropriate for the continuation of the existing commercial agricultural enterprise in the region. The commercial agricultural minimum field or parcel sizes and corresponding farming regions identified in the Addendum to Working Paper: Agricultural Lands shall be used to determine the appropriate division requirements for lands zoned EFU/RCP.*
  - k. Conversion of rural agricultural land to urbanizable land shall follow the process and criteria set forth in Goals 3 and 14.*
  - l. Regard non-agricultural uses within or adjacent to agricultural lands as being subject to the normal and accepted agricultural practices of that locality.*
  - m. No policy shall be construed to exclude permitted and specially permitted non-farm uses, as defined in ORS 215.213 and OAR 660 Division 033, from the EFU/RCP zones. Implementing ordinances shall provide for such uses, consistent with the statutory and OAR 660 Division 033 requirements. Special permits for commercial uses in conjunction with farm use shall have the same effect as making the use an outright permitted use on the affected parcel.*
  - n. Land may be designated as marginal land if it complies with the requirements of ORS 197.247 (1991 Edition).*
  - o. Lane County recognizes ORS 215.253 shall apply on land-zoned EFU and Marginal Lands.*
  - p. Recreational activities in the Park and Recreation (PR/RCP) zone district within agricultural areas that are outside lands for which a built or committed exception to a statewide planning goal has been taken shall be limited to those uses consistent with Statewide Planning Goals 3 and 4.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource does not restrict the allowable farm uses on identified agricultural lands within the delineated area. No conflicts with any of the policies above have been identified.

*4. Metro Plan, Environmental Resources Element, Riparian Corridors Wetlands and Wildlife Habitat (Goal 5), Policy 8*

*C.8 Local governments shall develop plans and programs which carefully manage development on hillsides and in water bodies, and restrict development in wetlands in order to prevent erosion and protect the scenic quality, surface water and groundwater quality, forest values, vegetation, and wildlife values of those areas.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource satisfies the Goal 5 requirements found in OAR 660-015-0000(5). The detailed delineation of time of travel zones for each wellhead provides a scientific basis for the development of appropriate protection measures for the groundwater resource. This is consistent with this policy direction to protect groundwater quality.

*5. Metro Plan, Environmental Resources Element, Mineral and Aggregate Resources (Goal 5), findings 12, 13, 14,*

*12. Total land designated and zoned for sand and gravel extraction in the metropolitan area and immediately adjacent sub-areas appears adequate for demand through the planning period.*

*13. Sand and gravel deposits are an important natural resource necessary for construction in the metropolitan area. Nevertheless, the extraction of sand and gravel can conflict with other open space and recreation values associated with water resources, vegetation, wildlife habitat, and scenic quality. Proper rehabilitation and reuse of abandoned sand and gravel sites results in the return of valuable land for urban uses, including open space.*

*14. Lane County addressed the Goal 5 requirements in effect at the time of Metro Plan designation, zoning or permitting for mineral and aggregate operations outside the UGB including potential conflicts with inventoried wetlands, riparian corridors, and wildlife habitat. The permitting process of the Department of Geology and Mineral Industries (DOGAMI) will require necessary and adequate protections for inventoried wetlands, riparian corridors, and wildlife habitat for these existing operations. Future Metro Plan amendment, rezoning, or permitting processes for new mineral and aggregate operations not already authorized or permitted will be subject to applicable requirements of Goal 5 and DOGAMI regulations.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource satisfies the Goal 5 requirements found in OAR 660-015-0000(5). No land use restrictions or changes are proposed for adoption at this time. The detailed delineation of time of travel zones for each wellhead provides a scientific basis for the development of appropriate protection measures for the groundwater resource. In accordance with above finding 14, future amendments or rezoning to allow new mineral and aggregate

operations are required to address inventoried Goal 5 resource sites under OAR 660-023-0180(5)(b)(D). No conflicts have been identified with findings 12 or 13 above.

6. *Metro Plan, Willamette River Greenway, River Corridors and Waterways Element, Goal and Policies D5, D6 and D 10*

*Goal*

*To protect, conserve, and enhance the natural, scenic, environmental, and economic qualities of river and waterway corridors.*

*D.5 New development that locates along river corridors and waterways shall be limited to uses that are compatible with the natural, scenic, and environmental qualities of those water features.*

*D.6 New industrial development that locates along the Willamette and McKenzie Rivers shall enhance natural, scenic, and environmental qualities.*

*D.10 Aggregate extraction may be permitted when compatible with purposes of Statewide Planning Goal 15. Local governments shall continue, through land use planning and special regulations, to control aggregate extraction to minimize adverse effects of extraction on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, scenic quality, noise, and safety.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource satisfies the Goal 5 requirements found in OAR 660-015-0000(5). No land use changes are proposed within the boundaries of the Willamette River Greenway under this application. No conflicts with any of the policies above have been identified.

7. *Metro Plan, Public Facilities and Services Element, Policy G3*

*G.3 Modifications and additions to or deletions from the project lists in the Public Facilities and Services Plan for water, wastewater, and stormwater public facility projects or significant changes to project location, from that described in the Public Facilities and Services Plan planned facilities Maps 1, 2 and 3, requires amending the Public Facilities and Services Plan and the Metro Plan, except for the following:*

- a. Modifications to a public facility project which are minor in nature and do not significantly impact the project's general description, location, sizing, capacity, or other general characteristic of the project; or*
- b. Technical and environmental modifications to a public facility which are made pursuant to final engineering on a project; or*
- c. Modifications to a public facility project which are made pursuant to findings of an Environmental Assessment or Environmental Impact Statement conducted under regulations implementing the procedural provisions of the national Environmental Policy Act of 1969 or any federal or State of Oregon agency project development regulations consistent with that act and its regulations; or*
- d. Public facility projects included in the PFSP to serve land designated Urban Reserve prior to the removal of the Urban Reserve designation, which projects shall be removed from the PFSP at the time of the next Periodic Review of the Metro Plan.*

No changes to a public facility are proposed in this application request. The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource does not represent a modification, addition to, or a deletion from the project list in the Public Facilities and Services Plan.

*8. Metro Plan, Public Facilities and Services Element, Services to Development with the Urban Growth Boundary: Water, Findings 11, 12 and 13 Policies 9, 10, 11 and 12*

*Findings*

- 11. Springfield relies on groundwater for its sole source of water. EWEB water source is the McKenzie River and EWEB is developing groundwater sources. The identification of projects on the Public Facilities and Services Plan planned facilities map does not confer rights to a groundwater source.*
- 12. Known and potential groundwater pollution exists in the metropolitan area. Known and potential sources of groundwater pollution include septic tank wastes, industrial, commercial, and residential runoff; leakage from sanitary sewer pipes; leaking from sanitary landfills; agricultural non-point sources (spraying and animal wastes); chemical and petroleum spills, and natural contaminants (arsenic).*
- 13. Beneficial uses of groundwater in the metropolitan area include domestic and municipal water supplies, industrial supplies, and domestic and commercial irrigation. The value and frequency of these uses varies among incorporated, urbanizable, and rural areas.*

*Policies*

- G.9 Eugene and Springfield and their respective utility branches, EWEB and SUB, shall ultimately be the water service providers within the UGB.*
- G.10 Continue to take positive steps to protect groundwater supplies. The cities, county, and other service providers shall manage land use and public facilities for groundwater related benefits through the implementation of the Springfield Drinking Water Protection Plan and other wellhead protection plans. Management practices instituted to protect groundwater shall be coordinated among the City of Springfield, City of Eugene, and Lane County.*
- G.11 Ensure that water main extensions within the UGB include adequate consideration of fire flows.*
- G.12 SUB, EWEB, and Rainbow Water District, the water providers that currently control a water source, shall examine the need for a metropolitan-wide water master program, recognizing that a metropolitan-wide system will require establishing standards, as well as coordinated source and delivery systems.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource satisfies the Goal 5 requirements found in OAR 660-015-0000(5). The detailed delineation of time of travel zones for each wellhead provides a scientific basis for the development of appropriate protection measures for the groundwater resource in conformance with policy 10 above. This is a positive step toward the protection of the groundwater supplies of the public water system operated by the Springfield Utility Board and Rainbow Water District. No conflicts with other policies above have been identified.

9. *Metro Plan, Public Facilities and Services Element, Locating and Managing Public Facilities Outside the Urban Growth Boundary, Finding 36*

36. *In accordance with statewide planning goals and administrative rules, urban water, wastewater, and stormwater facilities may be located on agricultural land and urban water and wastewater facilities may be located on forest land outside the UGB when the facilities exclusively serve land within the UGB, pursuant to OAR 660-006 and 660-033.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource satisfies the Goal 5 requirements found in OAR 660-015-0000(5). The detailed delineation of time of travel zones for each wellhead provides a scientific basis for the development of appropriate protection measures for the groundwater resource. The provision of public water facilities operated by the Springfield Utility Board and Rainbow Water District to provide clean water for the metropolitan population of the City of Springfield within the urban growth boundary is consistent with this finding.

10. *Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Mineral and Aggregate Resources, Policies 1-11*

1. *Known mineral resource sites within the County, which are limited to those identified in Appendix "D" of the "Mineral and Aggregate Resources Working Paper", shall be conserved for both present and future uses through the application of Plan designations and compatible land use regulation measures. Such designation and regulation is to take place after the requirements of the Goal 5 rule (OAR 660-16-000 through 660-16-025), which is addressed in Appendix "J" of the "Mineral and Aggregate Resources Working Paper".*
2. *Exploration for mineral resources (in contrast to actual mining) shall be a permitted activity in the rural portions of the County. Areas designated primarily for residential purposes are to be excluded from this policy as are areas that, having undergone analysis in accordance with OAR 660-16-000, are designated as having some unique natural, historical or cultural value. Exploratory drilling for gas, oil, or other hydrocarbons is not within the scope of this policy.*
3. *Mining operations are regulated by state and federal government agencies. County regulations shall supplement these actions only as necessary to ensure compatibility in the area, or to protect other resources.*
4. *Conserve and manage land, soil, and mineral resources by respecting their physical limitations and environmental assets.*
5. *Update, in cooperation with local aggregate operations, federal, state and local agencies, past sand and gravel inventories to ensure supply/demand information is current.*
6. *Protect aggregate deposits from encroachment of incompatible uses and ensure that aggregate material in close proximity to its point of use will be available when needed.*
7. *Mineral and aggregate resource sites, which, on the basis of substantial evidence, are considered for inclusion in Appendix "D" of the "Mineral and Aggregate Resources Working Paper" pursuant to the application of the Goal 5 rule (OAR 660-16-000/025), shall also show evidence of substantial resource utility over time. Any site evaluation*

*shall also address possible impacts on agricultural lands, forest lands and residential development (existing or planned). For sites within the Willamette Greenway or near Goal 5 inventoried resources, notification of the potential conflict shall be sent to the appropriate body (e.g., Pioneer Museum, Oregon Department of Transportation, Oregon Department of Fish and Wildlife, etc.).*

8. *Encourage farm and forestry use of aggregate land prior to extraction; minimize negative environmental impacts during extraction; require reclamation after extraction which is compatible with adjacent uses.*
9. *Lane County shall apply the appropriate district (SG, SG/CP, /QM) to the sites listed in Appendix "J" of the Mineral and Aggregate Working Paper. Those sites with potential conflicts shall be placed in the SG/CP or QM/SR Districts.*
10. *Sites for which not enough information is presently available to determine quality, quantity and conflicts with other uses which include those sites listed in Appendix "F" of the "Mineral and Aggregate Working Paper, shall be considered " Significant" in terms of OAR 660-16-000 through 660-16-025, but requiring that the Goal 5 evaluation process be delayed (the "1B" option). At such a time as it is clear that these sites will be needed within the county's advance framework, they shall be evaluated per the Goal 5 rule including conflict analysis and implementation of protective measures. Such evaluation will take the form of Plan amendment or revision studies. Notwithstanding the above schedule, all "1B" sites will be evaluated within five years of the date of this Policy adoption. These sites are included herein as Goal #5 Mineral and Aggregate Exhibit A.*
11. *Mineral and aggregate extraction activities within the Willamette Greenway shall comply with the requirements of Statewide Planning Goal 15 (Willamette Greenway). Significant fish and wildlife habitat areas shall be protected in accordance with sections C.3.d. and C.3.i. of the Goal. The provisions of the Lane County Greenway Plan and implementing regulations shall be used to this purpose.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource satisfies the Goal 5 requirements found in OAR 660-015-0000(5). No land use restrictions or changes are proposed for adoption at this time. The detailed delineation of time of travel zones for each wellhead provides a scientific basis for the development of appropriate protection measures for the groundwater resource. In accordance with above policy 7, future amendments or rezoning to identify new significant mineral and aggregate resource sites shall address this Goal 5 resource site under OAR 660-023-0180(5)(b)(D). No conflicts with any of the policies above have been identified.

*11. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Water Resources, Policies 1-4*

1. *State policy normally promotes multiple use of surface waters throughout Lane County. Under such policy, use conflicts can and do occur. As the first step in addressing this problem, the County urges the Oregon Water Policy Review Board and the Department of Environmental Quality to update the existing water basin plans and establish priorities among the various beneficial uses for specific water areas. The economic, social, environmental and energy consequences of each use should be considered in*

*establishing priorities and resolving any identified conflicts. Lane County will cooperate to the maximum extent practicable in such a program.*

- 2. The County supports congressional reauthorization of upper Willamette basin reservoirs, to reflect actual use priorities. To the extent practicable, the County will cooperate with the Corps of Engineers in resolving existing use conflicts and accommodating the needs of competing uses.*
- 3. Adequacy of water supply, particularly those relying on groundwater sources, shall be a major concern in reviewing major land use changes. For the purpose of applying this policy, major land use change shall be any application reviewed by the Hearings Official or the Planning Commission.*
- 4. The primary means of evaluating groundwater resources for land use planning purposes shall be through the land division review process. The Little Butte Volcanics, Eugene Formation, Fisher Formation, Spencer Formation, Flourney Formation, Alluvium and Older Dunes geological units shall be designated as quality and/or quantity limited aquifers. As such the provisions of Chapter 13, Lane Code (Land Divisions) regarding areas so designated will apply.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource satisfies the Goal 5 requirements found in OAR 660-015-0000(5). The detailed delineation of time of travel zones for each wellhead provides a scientific basis for the development of appropriate protection measures for the groundwater resource. Inclusion of the Wellhead Protection Area onto the significant groundwater resource inventory assures that impacts to the resource are considered in all major land use changes as directed in policy 3 above. No conflicts with any of the policies above have been identified.

*12. Lane County Rural Comprehensive Plan, Goal 6 Air, Water and Land Resources, Water Quality, Policies 1-7*

- 1. Avoidance and/or control of soil erosion shall be a major criterion to be addressed in all applicable County review procedures and County construction activity.*
- 2. The re-establishment of vegetative cover by standard erosion control practices shall be required as part of the land development process.*
- 3. Lane County shall cooperate with the Department of Environmental Quality and other state and federal agencies in maintaining domestic water supplies to the existing standards of the appropriate governing body.*
- 4. Lane County shall promote watershed practices which protect and enhance water quality and quantity through land use planning, Public Works projects and management of County facilities.*
- 5. Lane County shall cooperate with the Lane Council of Governments and Oregon Department of Environmental Quality in identifying sources of water pollution and controlling or abating them. The county's primary emphasis will be the possible degradation of ground and surface water quality by onsite sewage disposal systems.*
- 6. Lane County shall cooperate with the Oregon Water Policy Review Board to evaluate flow requirements necessary to maintain water quality in critical streams and support the establishment of minimum flow designations for those streams.*

*7. In basins where consumptive flow appropriations result in water quality problems due to low flows, the County shall encourage the construction of small storage reservoirs for flow augmentation of sites with minimal use conflicts. The County will also encourage conservation practices among water consumers in those basins.*

The identification of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource satisfies the Goal 5 requirements found in OAR 660-015-0000(5). The detailed delineation of time of travel zones for each wellhead provides a scientific basis for the development of appropriate protection measures for the groundwater resource consistent with policies 3 and 5 above. No conflicts with any of the policies above have been identified.

### **Summary**

The adoption of the Springfield Wellhead Protection Area as a significant Goal 5 Groundwater Resource is consistent with the intent of this policy. It represents the first step in the protection of the groundwater resource outside of the Metropolitan General Plan boundary for the provision of drinking water to residents of the City of Springfield. This action finds support in the various policies and findings above that direct the protection of the groundwater resource to maintain the quality of the water supply. As there are no restrictive regulations or provisions proposed for adoption at this time, the proposal does not conflict with any policies, findings or goals found in this policy.

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

Ordinance No. PA 1307

IN THE MATTER OF AMENDING THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) TO REVISE THE GOAL 5 GROUNDWATER RESOURCES POLICIES AND ADD THE SPRINGFIELD WELLHEAD PROTECTION AREA TO THE GOAL 5 INVENTORY OF SIGNIFICANT GROUNDWATER RESOURCES AND ADOPTING A SAVINGS AND SEVERABILITY CAUSE. (Dept. File No.: PA13-05273)

**WHEREAS**, the City of Springfield relies almost entirely on groundwater aquifers for its municipal water supply that serves approximately 64,000 residents, qualifying these aquifers as a significant resource under Statewide Planning Goal 5 (OAR 660-023-0140(5)); and

**WHEREAS**, a substantial portion of the City's groundwater resource is located outside of the Springfield Urban Growth Boundary and within the jurisdictional coverage area of the Lane County Rural Comprehensive Plan (RCP); and

**WHEREAS**, Lane County and the City of Springfield entered into an Intergovernmental Agreement on June 4, 2013 (reference Lane County Order No.13-06-04-12), which stipulated that Lane County would prioritize the processing of an RCP amendment application to add the Springfield wellhead protection areas to the County's Goal 5 Inventory of Significant Groundwater Resources; and

**WHEREAS**, the City of Springfield and the Springfield Utility Board jointly filed an application to amend the County's Goal 5 Inventory and related RCP policies; and

**WHEREAS**, Lane Code Chapter 16.400 sets forth procedures for the amendment of the Rural Comprehensive Plan; and

**WHEREAS**, Lane County File No. PA 13-05273 contains satisfactory findings addressing the requirements of Lane Code; and

**WHEREAS**, on November 4, 2013, the Lane County and Springfield Planning Commissions held a work session and joint public hearing on the proposed RCP amendments and the Lane County Planning Commission voted to recommend adoption of Ordinance No. PA 1307 to the Lane County Board of Commissioner; and

**WHEREAS**, on January 14, 2014, the Lane County Board of Commissioners and the Springfield City Council held a joint public hearing on the proposed RCP amendments and the Board of Commissioners is now ready to take action.

**NOW, THEREFORE**, the Board of County Commissioners of Lane County Ordains as follows:

**SECTION 1:** The Lane County Rural Comprehensive Plan Goal 5 Inventory of Significant Groundwater Resources is hereby updated to include those Time of Travel (TOT) zones delineated outside of the Springfield Urban Growth Boundary as shown on Exhibit A of this Ordinance.

**SECTION 2:** The Lane County Rural Comprehensive Plan Goal 5 Policies are hereby amended as shown in Exhibit B of this Ordinance.

**SECTION 3:** The prior policies and plan designations repealed or changed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

**SECTION 4:** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that section constitutes a separate, distinct and independent provision, and does not affect the validity of the remaining portions hereof.

**FURTHER,** although not part of this Ordinance, the Board of County Commissioners adopts findings and conclusions in support of this action as set forth in Exhibit C and incorporated here by this reference.

**ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
\_\_\_\_\_, Chair  
Lane County Board of Commissioners

\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date \_\_\_\_\_ Lane County

\_\_\_\_\_  
***OFFICE OF LEGAL COUNSEL***

# Lane County RCP Goal 5 Significant Groundwater Resources Inventory

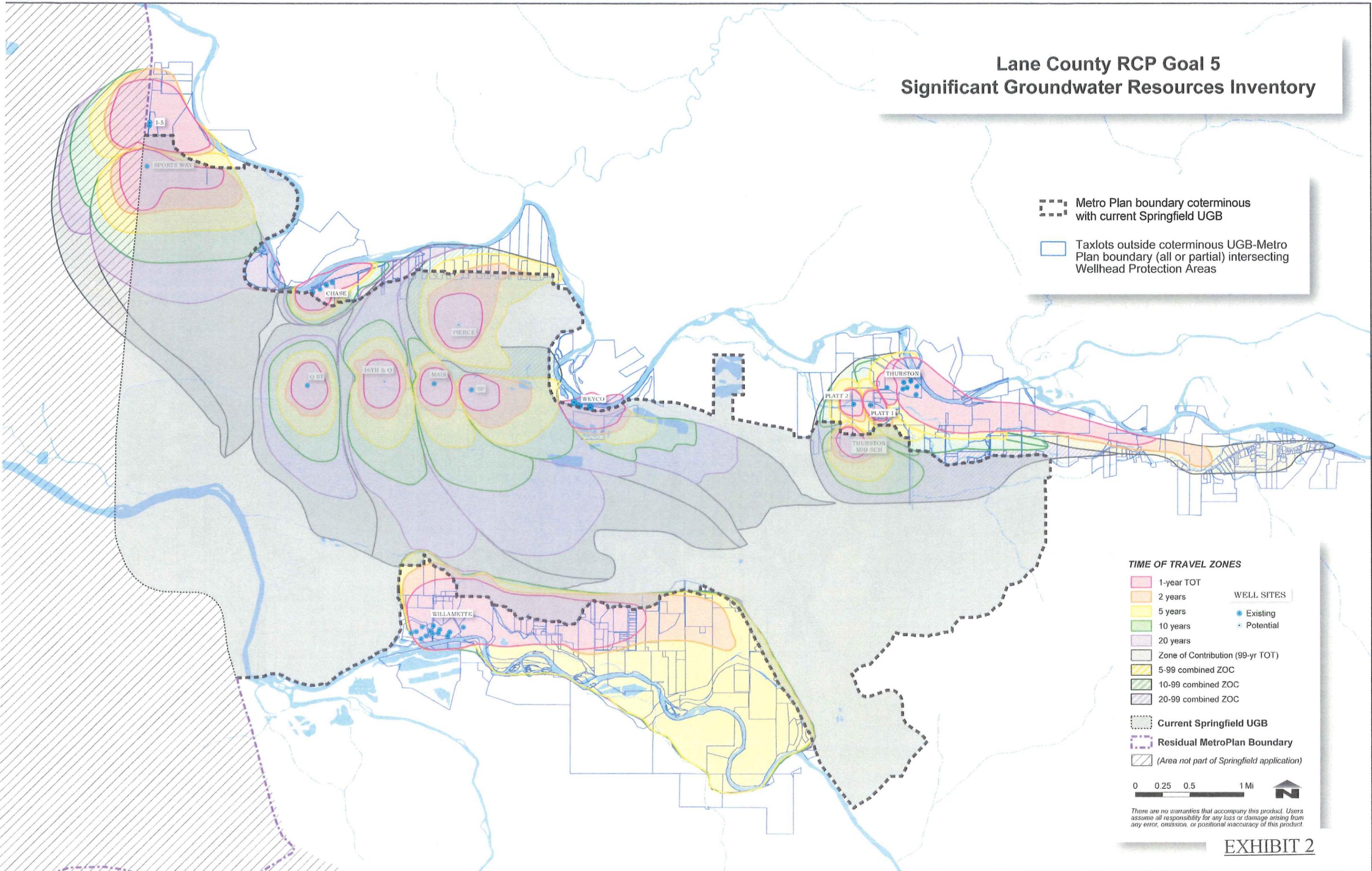


EXHIBIT 2

## Water Resources

1. State policy normally promotes multiple use of surface waters throughout Lane County. Under such policy, use conflicts can and do occur. As the first step in addressing this problem, the County urges the Oregon Water Policy Review Board and the Department of Environmental Quality to update the existing water basin plans and establish priorities among the various beneficial uses for specific water areas. The economic, social, environmental and energy consequences of each use should be considered in establishing priorities and resolving any identified conflicts. Lane County will cooperate to the maximum extent practicable in such a program.
2. The County supports congressional reauthorization of upper Willamette basin reservoirs, to reflect actual use priorities. To the extent practicable, the County will cooperate with the Corps of Engineers in resolving existing use conflicts and accommodating the needs of competing uses.
3. Adequacy of water supply, particularly those relying on groundwater sources, shall be a major concern in reviewing major land use changes. For the purpose of applying this policy, major land use change shall be any application reviewed by the Hearings Official or the Planning Commission.
4. The primary means of evaluating groundwater resources for land use planning purposes shall be through the land division review process. The Little Butte Volcanics, Eugene Formation, Fisher Formation, Spencer Formation, Flourney Formation, Alluvium and Older Dunes geological units shall be designated as quality and/or quantity limited aquifers. As such the provisions of Chapter 13, Lane Code (Land Divisions) regarding areas so designated will apply.
5. Land use designations in the Comprehensive Plan and implementing zoning shall be commensurate with groundwater aquifer capacities.
6. The significant groundwater resource inventory for Lane County shall consist of those wellhead protection areas meeting the requirements of OAR 660-023-0140(5)(a) that have been delineated and certified by the Oregon Public Health Division. The certified wellhead protection areas shall be adopted into the Goal 5 inventory by Board Ordinance. The adopted area boundaries shall form the basis for development of wellhead protection plans in accordance with OAR 340-040-0180.

### Lands Removed from the Eugene- Springfield Metropolitan Area General Plan

- 1 For those lands located outside of the City of Springfield's Urban Growth Boundary that were removed from the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) by Ordinance No. PA 1281, the above listed RCP Goal 5 policies shall not apply. Instead, the Goal 5 inventories, policies and findings of the Metro Plan for Riparian Corridors, Wetlands,

additions are shown underlined

EXHIBIT 10

Wildlife Habitat, Mineral and Aggregate Resources and Open Space shall continue to be applicable to those lands by this policy to the same extent they were applicable when those lands were included in the Metro Plan.

2. In reviewing Post Acknowledgment Plan Amendment (PAPA) applications for lands located within sensitive 2- Year Time of Travel Zones identified in the Springfield Drinking Water Protection Plan and further specifically depicted on Exhibit B of Ordinance No. PA 1290 the following Metro Plan and Lane County Rural Comprehensive Plan findings and policies shall be considered:
  1. Metro Plan, The Fundamental Principles Chapter of the Metro Plan including Metropolitan Goals, Environmental Resources, paragraphs 1, 2, 3 and 4,
  2. Metro Plan, Metropolitan Goals, Public Facilities, paragraph 1,
  3. Metro Plan, Environmental Resources Element, Agricultural Lands (Goal 3), Policies 1-4,
  4. Metro Plan, Environmental Resources Element, Riparian Corridors Wetlands and Wildlife Habitat (Goal 5), Policy 8,
  5. Metro Plan, Environmental Resources Element, Mineral and Aggregate Resources (Goal 5), findings 12, 13, 14,
  6. Metro Plan, Willamette River Greenway, River Corridors and Waterways Element, Goal and Policies D5, D6 and D 10,
  7. Metro Plan, Public Facilities and Services Element, Policy G3,
  8. Metro Plan, Public Facilities and Services Element, Services to Development with the Urban Growth Boundary: Water, Findings 11, 12 and 13 Policies 9, 10, 11 and 12,
  9. Metro Plan, Public Facilities and Services Element, Locating and Managing Public Facilities Outside the Urban Growth Boundary, Finding 36,
  10. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Mineral and Aggregate Resources, Policies 1-11,
  11. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Water Resources, Policies 1-4 and 6,
  12. Lane County Rural Comprehensive Plan, Goal 6 Air, Water and Land Resources, Water Quality, Policies 1-7
3. Review of any Post Acknowledgment Plan Amendment (PAPA) applications for lands located within the Springfield Wellhead Protection Area sensitive time of travel zones depicted on Exhibit B of Ordinance No. PA 1290 shall utilize the decision-making authority and process contained within the Intergovernmental Agreement between the City of Springfield and Lane County effective June 4, 2013 (Lane County Contract #50609).

additions are shown underlined

## **RESOLUTION 2014-\_\_**

### **A RESOLUTION SUPPORTING THE AMENDMENT OF THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) TO REVISE THE GOAL 5 GROUNDWATER RESOURCES POLICIES AND ADD THE SPRINGFIELD WELLHEAD PROTECTION AREA TO THE GOAL 5 INVENTORY OF SIGNIFICANT GROUNDWATER RESOURCES**

**WHEREAS**, the City of Springfield relies almost entirely on groundwater aquifers for its municipal water supply that serves approximately 64,000 residents, qualifying these aquifers as a significant resource under Statewide Planning Goal 5 (OAR 660-023-0140(5)); and

**WHEREAS**, a substantial portion of the City's groundwater resource is located outside of the Springfield Urban Growth Boundary and within the jurisdictional coverage area of the Lane County Rural Comprehensive Plan (RCP); and

**WHEREAS**, Lane County and the City of Springfield entered into an Intergovernmental Agreement on June 4, 2013 (Springfield Contract #1018), which stipulated that Lane County would prioritize the processing of an RCP amendment application to add the Springfield wellhead protection areas to the County's Goal 5 Inventory of Significant Groundwater Resources; and

**WHEREAS**, the City of Springfield and the Springfield Utility Board jointly filed an application to amend the County's Goal 5 Inventory and related RCP policies; and

**WHEREAS**, on November 4, 2013, the Lane County and Springfield Planning Commissions held a work session and joint public hearing on the proposed RCP amendments and the Springfield Planning Commission voted to recommend that the Springfield City Council approve the amendments of the RCP; and

**WHEREAS**, Springfield City Council supports the amendments to the RCP to revise the Goal 5 groundwater resources policies and add the Springfield wellhead protection area to the Goal 5 inventory of significant groundwater resources; and

**WHEREAS**, on January 14, 2014, the Springfield City Council and the Lane County Board of Commissioners held a joint public hearing on the proposed RCP amendments and the Council is now ready to take action.

### **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SPRINGFIELD:**

**SECTION 1:** Springfield supports the update of the Lane County Rural Comprehensive Plan Goal 5 Inventory of Significant Groundwater Resources to include those Time of Travel (TOT) zones delineated outside of the Springfield Urban Growth Boundary on Exhibit A of this Resolution.

**SECTION 2:** Springfield supports amendment of the Lane County Rural Comprehensive Plan Goal 5 Policies as shown in Exhibit B of this Resolution.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect upon adoption by the Council and approval by the Mayor.

Adopted by the Common Council of the City of Springfield, Oregon, by a vote of \_\_\_\_ for and \_\_\_\_ against, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Recorder

## **INTERGOVERNMENTAL AGREEMENT METRO PLAN BOUNDARY**

**BETWEEN:** The City of Springfield ("City")  
a municipal corporation of the state of Oregon

**AND:** Lane County ("County")  
a political subdivision of the state of Oregon

**EFFECTIVE DATE:** Subject to Section 1.B. and D. below, this Agreement is effective  
June 4, 2013

### **RECITALS:**

1. City and County, in the administration of their comprehensive planning responsibilities, jointly adopted the Eugene-Springfield Metropolitan Area General Plan (2004 update) (the "Plan").
2. Key elements of the Plan include certain boundaries that define responsibilities regarding land use including the Metropolitan Area General Plan (2004 update) Boundary (the "Boundary"), the Urban Growth Boundary (the "UGB"), and the city limits (the "city limits").
3. Since adoption, the Plan's boundary has included land beyond the UGB which is a unique feature of the Plan and not required by Oregon land use laws.
4. In 2011, Lane County and City amended the UGB east of I-5 to make it site specific.
5. In June of 2011, the County submitted a notice of proposed Post-Acknowledgment Plan Amendment (PAPA) to the Department of Land Conservation and Development (DLCD) seeking to relocate the Plan Boundary located east of I-5 to be coterminous with the City's site specific Urban Growth Boundary.
6. On October 25, 2011, the City of Springfield's Planning Commission recommended approval of County's proposed PAPA provided an agreement between the City and the County to address the concerns of the Springfield Utility Board (SUB) about protecting the City's drinking water was included as part of the amendment.
7. On March 13, 2012, the elected officials of the City, the County and the City of Eugene, conducted the initial public hearing of the joint elected officials on this proposal, SUB staff provided testimony in opposition to this proposal if specific provisions to protect the City's drinking water were not included as a part of the amendment.

8. City and County representatives have met on several occasions to discuss possible alternatives to the County's proposal in an effort to address the County's concern about constituent representation and the City's concern about preserving its existing authority in the Metro Plan regarding decisions in the land between the UGB and Metro Plan Boundary in order to protect the City's drinking water.

9. As a result of these conversations, the City and County have agreed that it is in the long-term interest of both governments and their respective constituents to establish a logical relationship between the Metro Plan Boundary and the Rural Comprehensive Plan Boundary.

10. Springfield Utility Board (SUB) wellhead protection areas outside of the City UGB have been delineated by SUB and certified by the Oregon Health Authority pursuant to OAR chapter 333, Division 61, by the Public Health Division of the Oregon Health Authority under Certificate Number 2, and, pursuant to OAR 660-023-0140 (5)(a) are eligible for recognition and inclusion on adopted Goal 5 inventories as a significant groundwater resource.

11. The parties now agree that a Boundary based upon the City's UGB would provide the desired logical relationship, with further agreement preserving the City's joint governance over the sensitive time of travel zones mapped on the Springfield Drinking Water Protection Plan that are within the present Metro Plan boundary until such time as a drinking water protection plan is in place. Such areas are shown on Exhibit A .

12. The parties further agree that in order to protect the City's drinking water source, certain areas outside the current UGB but within the sensitive time of travel zones should be evaluated for inclusion within the City's UGB.

13. ORS 190.010 and the Lane County Home Rule Charter provide that units of local governments may enter into agreements for the performance of any or all functions and activities that a party to the agreements, its officers or agents, have authority to perform.

NOW, THEREFORE, in consideration of the foregoing, City and County agree as follows:

Section 1: In partnership the City and County jointly agree as follows:

A. The City, in coordination with the Springfield Utility Board ("SUB"), shall promptly submit to the County a PAPA application to recognize that the sensitive time of travel zones and wellhead protection areas outside of the City UGB as delineated by SUB and certified by the Oregon Health Authority may constitute a significant Goal 5 groundwater resource entitled to inclusion in the applicable comprehensive plan inventory and to protection. The County agrees to dedicate resources and process such

application, when submitted, with priority. In its discretion, the County may direct that the City and SUB shall prepare and submit a plan for protection of the resource so identified or recognized, as the City and SUB deem necessary pursuant to Section 3.C., and the County agrees to dedicate resources and process such a plan, when submitted, with priority.

B. Effective as of the date the County obtains final approval (which is defined to include adoption of identical ordinances by all governing bodies participating in the decision) of its proposed PAPA to relocate the Plan Boundary as described in Recital 5 of this Agreement, the City's existing decision-making authority over the sensitive time of travel zones depicted on Exhibit A will remain in effect. For any subsequent PAPA application located in the sensitive time of travel zones depicted on Exhibit A, City and County shall utilize the decision-making authority and process the City previously held under Chapter IV of the Plan as codified in Springfield Development Code Sections 5.14-105 through 5.14-155, Lane Code Chapter 12.200-12.245 and further modified by Section 2:A. of this agreement.

C. The City and County shall exercise joint decision making authority over adoption or any amendments to SUB's groundwater resource identified in the County's inventory and on a drinking water protection plan to protect that resource or any amendment to such drinking water protection plan for the term of this Agreement, as further provided in Section 1:D., below.

D. The parties further agree that additional comprehensive plan findings and policies to be considered by the decision makers, as applicable, are:

1. Metro Plan, The Fundamental Principles Chapter of the Metro Plan including Metropolitan Goals, Environmental Resources, paragraphs 1, 2, 3 and 4;
2. Metro Plan, Metropolitan Goals, Public Facilities, paragraph 1;
3. Metro Plan, Environmental Resources Element, Agricultural Lands (Goal 3), Policies 1-4;
4. Metro Plan, Environmental Resources Element, Riparian Corridors Wetlands and Wildlife Habitat (Goal 5), Policy 8;
5. Metro Plan, Environmental Resources Element, Mineral and Aggregate Resources (Goal 5), findings 12, 13 and 14;
6. Metro Plan, Willamette River Greenway, River Corridors and Waterways Element, Goal and Policies D5, D6 and D 10;
7. Metro Plan, Public Facilities and Services Element, Policy G3;
8. Metro Plan, Public Facilities and Services Element, Services to Development with the Urban Growth Boundary: Water, Findings 11, 12 and 13, Policies 9, 10, 11 and 12;
9. Metro Plan, Public Facilities and Services Element, Locating and Managing Public Facilities Outside the Urban Growth Boundary, Finding 36;

10. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Mineral and Aggregate Resources, Policies 1-11;
11. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Water Resources, Policies 1-4;
12. Lane County Rural Comprehensive Plan, Goal 6 Air, Water and Land Resources, Water Quality, Policies 1-7.

This joint authority under Section 1 shall remain in effect so long as the Plan Boundary PAPA is not reversed or remanded on appeal, provided that the joint authority described in Section 1:B. and D. shall cease once a drinking water protection plan for the sensitive time of travel zones and wellhead protection areas delineated by SUB and certified by the Oregon Health Authority obtains final approval and the joint decision making authority over the SUB groundwater inventory and protection under Section 1:C. shall continue unless the parties mutually agree to termination or modification.

Section 2: In partnership with the City, the County agrees to:

A. Provide referral notice to the City of any PAPA application that is proposed within the sensitive time of travel zones as depicted on Exhibit A. All referrals shall occur within ten (10) days of the PAPA application or initiation date. Upon receiving referral notice the City, at its discretion, may, within 21 days of the Notice from the County, elect to not participate in the PAPA decision making process as described in Sections 1:B., C. and D. of this Agreement by notifying the County in writing. If the City does not participate in the PAPA decision making process, the County shall be the sole decision maker utilizing the process and applying criteria as set forth in Section 1:B. and D. of this Agreement. If City does participate in the PAPA decision making process, it shall remain a decision maker with the County utilizing the process and applying criteria set forth in Section 1:B. and D. of this Agreement and the PAPA shall not be approved unless both the City and County governing bodies each approve the PAPA application.

B. Devote appropriate resources to evaluate and process, with priority, the drinking water protection plan and land use regulations set forth in Section 3:C of this Agreement.

Section 3: In partnership with the County, City shall:

A. Devote appropriate resources to evaluate and process, with priority, the County proposal to amend the Boundary to be coterminous with the City's UGB.

B. When ready, initiate an Urban Growth Boundary amendment to include within the UGB all areas that are located within the sensitive time of travel zones as depicted on Exhibit A. For purposes of this Agreement "initiate" is defined as submitting a notice of proposed amendment to DLCD.

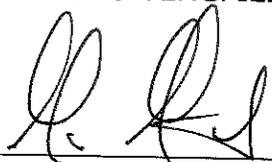
C. Allocate planning staff resources (in collaboration with SUB) sufficient to prepare for hearings before the Planning Commissions and Governing bodies on an application to recognize and inventory the sensitive time of travel zones and wellhead protection areas delineated by SUB and certified by the Oregon Health Authority as a significant groundwater resource under Goal 5, and any drinking water protection plan and land use regulations the City considers necessary to be made applicable to land outside the City's UGB east of I-5 and within the sensitive time of travel zones and wellhead protection areas, to protect such resource.

Section 4: Both parties agree that the 1986 Urban Transition Agreement between the parties does not apply to lands within the sensitive time of travel zones not presently within the City's UGB. Except as modified by this Agreement, these areas remain the jurisdictional responsibility of Lane County until the property is brought into the City's UGB.

Section 5: This Agreement may be amended or terminated only upon the mutual agreement of both parties.

Section 6: Should any court of competent jurisdiction determine that a section or part of a section of this agreement is invalid, such invalidity shall not impair the effect or validity of the remaining sections or parts of sections.

CITY OF SPRINGFIELD:

  
\_\_\_\_\_  
Gino Grimaldi, City Manager

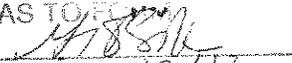
5/13/13

LANE COUNTY:

  
\_\_\_\_\_  
Liane Richardson, County Administrator

REVIEWED & APPROVED

AS TO FORM

  
\_\_\_\_\_  
DATE: 5/13/13

OFFICE OF CITY ATTORNEY

as to form only

APPROVED AS TO FORM

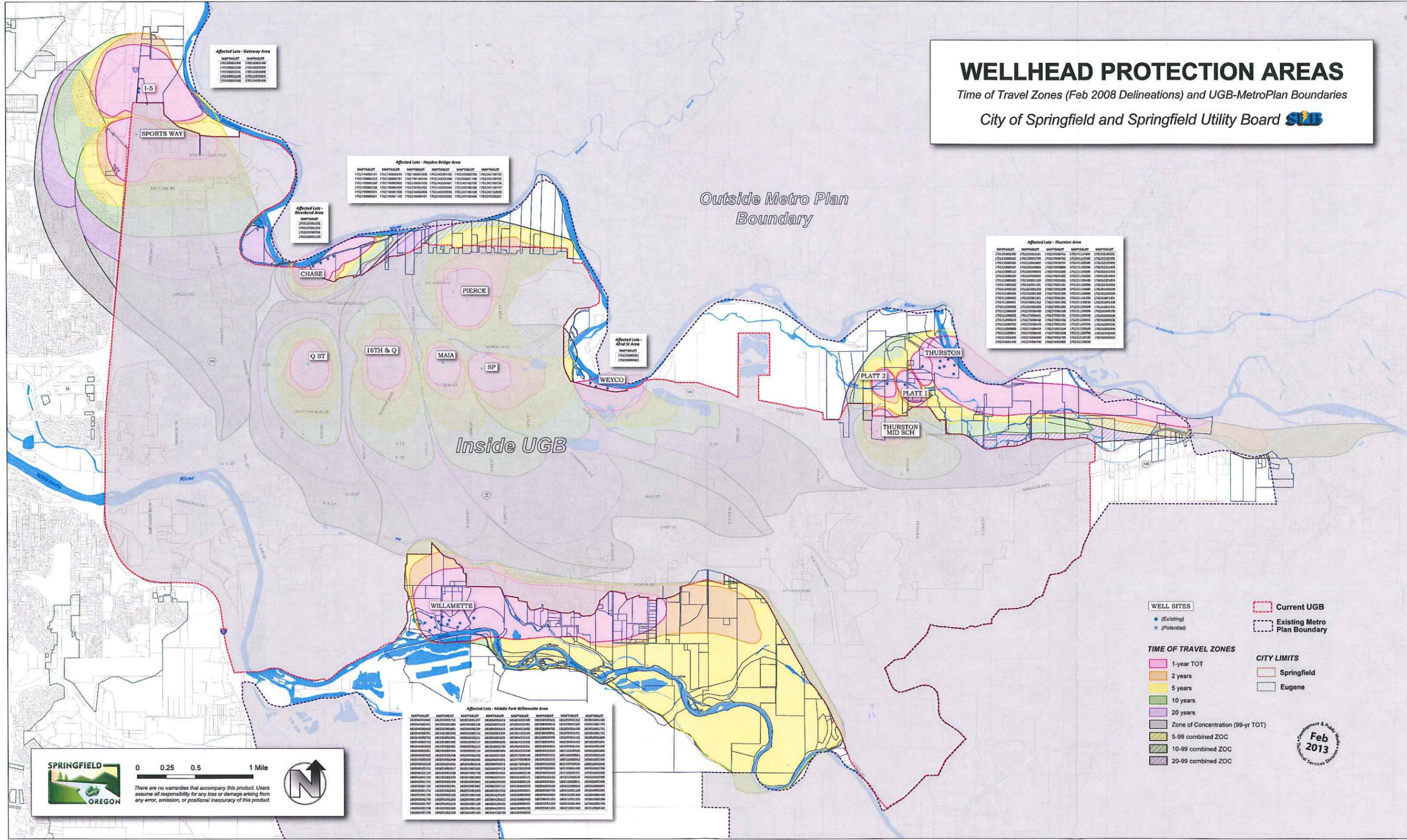
Date 5-4-2013 lane county

  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

# WELLHEAD PROTECTION AREAS

Time of Travel Zones (Feb 2008 Delineations) and UGB-MetroPlan Boundaries

City of Springfield and Springfield Utility Board 



**Affected Lots - Hayden Bridge Area**

MAPFACLOT	MAPFACLOT	MAPFACLOT	MAPFACLOT	MAPFACLOT	MAPFACLOT
170219000101	170219000102	170219000103	170219000104	170219000105	170219000106
170219000107	170219000108	170219000109	170219000110	170219000111	170219000112
170219000113	170219000114	170219000115	170219000116	170219000117	170219000118
170219000119	170219000120	170219000121	170219000122	170219000123	170219000124
170219000125	170219000126	170219000127	170219000128	170219000129	170219000130
170219000131	170219000132	170219000133	170219000134	170219000135	170219000136
170219000137	170219000138	170219000139	170219000140	170219000141	170219000142
170219000143	170219000144	170219000145	170219000146	170219000147	170219000148
170219000149	170219000150	170219000151	170219000152	170219000153	170219000154
170219000155	170219000156	170219000157	170219000158	170219000159	170219000160

**Affected Lots - Thurston Area**

MAPFACLOT	MAPFACLOT	MAPFACLOT	MAPFACLOT	MAPFACLOT	MAPFACLOT
170219000201	170219000202	170219000203	170219000204	170219000205	170219000206
170219000207	170219000208	170219000209	170219000210	170219000211	170219000212
170219000213	170219000214	170219000215	170219000216	170219000217	170219000218
170219000219	170219000220	170219000221	170219000222	170219000223	170219000224
170219000225	170219000226	170219000227	170219000228	170219000229	170219000230
170219000231	170219000232	170219000233	170219000234	170219000235	170219000236
170219000237	170219000238	170219000239	170219000240	170219000241	170219000242
170219000243	170219000244	170219000245	170219000246	170219000247	170219000248
170219000249	170219000250	170219000251	170219000252	170219000253	170219000254
170219000255	170219000256	170219000257	170219000258	170219000259	170219000260

**Affected Lots - Middle Fork Willamette Area**

MAPFACLOT	MAPFACLOT	MAPFACLOT	MAPFACLOT	MAPFACLOT	MAPFACLOT
180200000101	180200000102	180200000103	180200000104	180200000105	180200000106
180200000107	180200000108	180200000109	180200000110	180200000111	180200000112
180200000113	180200000114	180200000115	180200000116	180200000117	180200000118
180200000119	180200000120	180200000121	180200000122	180200000123	180200000124
180200000125	180200000126	180200000127	180200000128	180200000129	180200000130
180200000131	180200000132	180200000133	180200000134	180200000135	180200000136
180200000137	180200000138	180200000139	180200000140	180200000141	180200000142
180200000143	180200000144	180200000145	180200000146	180200000147	180200000148
180200000149	180200000150	180200000151	180200000152	180200000153	180200000154
180200000155	180200000156	180200000157	180200000158	180200000159	180200000160

**SPRINGFIELD OREGON**

0 0.25 0.5 1 Mile

There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission, or positional inaccuracy of this product.



**WELL SITES**

- (Existing)
- (Potential)

**Current UGB**

**Existing Metro Plan Boundary**

**TIME OF TRAVEL ZONES**

- 1-year TOT
- 2 years
- 5 years
- 10 years
- 20 years
- Zone of Concentration (99-yr TOT)
- 5-99 combined ZOC
- 10-99 combined ZOC
- 20-99 combined ZOC

**CITY LIMITS**

- Springfield
- Eugene

Development & Public Works  
 Feb 2013  
 Financial Services Division