



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

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December 30, 2009

Tammy Baney, Chair
Deschutes County Board of Commissioners
1300 NW Wall Street, Suite 200
Bend, OR 97701

Dear Commissioner Baney:

Thank you for taking the time to speak with the Environmental Quality Commission during the Oct. 22-23 meeting in Klamath Falls. The commission asked that I respond to your questions and concerns regarding the protection of groundwater in south Deschutes County and northern Klamath County.

I think that it is important to acknowledge the difference in the definition of “public health hazard” as used in my Jan. 4, 2008 letter as compared with other definitions in other regulations. I specifically used the definition as it relates to the application of the Department of Land Conservation and Development’s Goal 11 in South Deschutes County. This definition relies on the likelihood of exposure to inadequately treated sewage as opposed to the actual exposure to inadequately treated sewage that is found in many other definitions of “public health hazard.” Taking this definition into consideration, the significant decrease in development in the area over the past year, and the long history of efforts to solve this problem, I believe it is important to take the time necessary to make decisions that have the appropriate environmental outcome and fully engage the citizens of South Deschutes and Northern Klamath counties.

The groundwater contamination area extends south of the county line into Northern Klamath County and we met with the Klamath County Board of Commissioners on December 23, 2009 to provide a summary of the groundwater problems and invite commissioners, their staff and affected citizens to help us solve the problem. We are meeting with DLCD to work on the Goal 11 challenges in the area as we believe DLCD’s participation will be an integral part of the solution.

Numerous questions were posed at the July 22, 2009 meeting in La Pine where you asked DEQ to take the lead on the groundwater protection project in the South Deschutes County area. We have been working with DLCD and Deschutes County on answering those questions and we have posted the meeting notes and Q & A document on the following newly-created webpage:

<http://www.deq.state.or.us/wq/onsite/nitrate.htm>

This webpage will be our primary source of information to the community and it will be updated regularly so that all affected stakeholders and partners can stay informed. We believe that the best way to

distribute information and updates is through this webpage and broad e-mail distribution, rather than directing the information to individuals, or providing information at one particular venue.

I understand your desire of securing stimulus funds to assist in the solution and your concern for moving quickly. We will do our very best to address your and the County's concerns and work with you to create a timeline that meets the needs of the environment and citizens. The first step in this direction will be a public meeting at the La Pine Senior Center on February 4, 2010 at 6:00 p.m. All of our partner groups including Klamath County will be invited to this meeting, which will focus on the formation of a steering committee that will develop an outline for moving forward and identifying next steps. Additional details of the meeting are posted on the newly-created webpage noted above.

The work to manage growth and wastewater impacts in South Deschutes County has been challenging. I look forward, and am committed to working in partnership with Deschutes County and Klamath County, in moving forward towards a solution.

Sincerely,

Dick Pedersen
Director

cc: Environmental Quality Commission
Dennis Luke, Deschutes County Commissioner
Alan Unger, Deschutes County Commissioner
Klamath County Board of Commissioners
Robert Ray, Deschutes County Citizens Action Group
Richard Whitman, DLCD - Salem
Rob Hallyburton, DLCD - Salem
Joni Hammond, DEQ - Portland
Mitch Wolgamott, DEQ - Pendleton
Eric Nigg, DEQ - Bend
Bob Baggett, DEQ - Bend
Michael Kucinski, DEQ - Eugene