



GEOLOGIC HAZARD PERMIT WAIVER

Permit #20190437

Applicant: Charles Dice
79387 Ray Brown Road
Arch Cape, OR 97102

Owner: Oregon Parks and Recreation Department
725 Summer Street, NE, Suite C
Salem, OR 97301

Location: T4N, R10W, SECTION C, TAXLOT 00100

Zoning: Recreation Management (RM)

Proposed Use: Water well for Falcon Cove Beach Domestic Water District

Waiver Letter/Report: August 16, 2019, Thomas S. Horning, Certified Engineering Geologist
– #CEG1131, Horning Geosciences, 808 26th Avenue, Seaside, OR
97138

The provisions of the Clatsop County Land and Water Development and Use Ordinance (LWDUO) that apply to a Geologic Hazard Permit Waiver are contained in Section 4.040, specifically Section 4.042(4), appearing in **bold** [emphasis added] type below:

Section 4.040 GEOLOGIC HAZARDS OVERLAY DISTRICT (/GHO)

LWDUO Section 4.042 Applicability

This section applies to all development in the following potentially hazardous areas [landslide hazard]:

- (1) Areas subject to mass wasting including:
 - (A) **Active landslides, inactive landslides, landslide topography and mass movement topography identified in the Oregon Department of Geology and Mineral Industries (DOGAMI) Bulletins 74 and 79;**
- (4) The determination of whether a property is located in one of the above referenced potentially hazardous areas shall be made at the sole discretion of the Director. The mapping that forms the basis for the identification of the above areas may be generalized in nature. **A specific site may not include the characteristics for which it is mapped. In these circumstances, the Director may grant a waiver from the requirements of Section 4.040. The waiver shall be in the form of a written finding. The finding shall be based on a report, from a professional specified in Section 4.044, detailing the basis for the determination that the site does not contain the identified potentially hazardous geologic condition.**


FINDINGS AND CONCLUSIONS

Findings

1. The County's GIS indicates that the subject property is within "Landslide Topography" per LWDUO Section 4.042(1)(A).
2. Per LWDUO Section 4.042(4), the Director may grant a waiver from the requirements in the form of a finding, which shall be based on a report from a professional specified in Section 4.044, detailing the basis for the determination that the site does not contain the identified potentially hazardous geologic condition.
3. Per LWDUO Section 4.044, the report must be prepared by a certified engineering geologist, soils engineer, or civil engineer.
4. On August 20, 2019, the applicant submitted a Geologic Hazard Waiver request in conjunction with the *Waiver of Requirement for Geologic Hazard Report* letter prepared and signed by Thomas S. Horning, Certified Engineering Geologist, #CEG1131, dated August 16, 2019 (Exhibit A).
5. The waiver letter submitted with the *Geologic Assessment* referenced above states Mr. Horning's findings and conclusion regarding the subject site and proposed development: **"...it appears that landslides are not as susceptible as suggested by the Clatsop County Webmaps. As such, it is recommended that the requirement for geologic hazard reports be waived for this project."**
6. Because the *Geologic Hazard Assessment* and statement provided by the applicant was prepared by a qualified professional and addresses the criteria found in Section 4.042(4), LWDUO, the Director may grant a waiver of Section 4.040.

Conclusions:

1. The Geologic Hazard Waiver Letter complies with the criteria for a waiver.
2. A waiver of the Geologic Hazard Overlay provisions is hereby granted.



Gail Henrikson, Community Development Director
August 21, 2019

Exhibit A: August 16, 2019, *Waiver of Requirement for Geologic Hazard Report Letter*, Thomas S. Horning, #CEG1131

Horning Geosciences

808 26th Avenue, Seaside, OR 97138

Ph./FAX: (503)738-3738

Email: horning@pacifier.com



August 16, 2019

Charles Dice
Falcon Beach Water District
79387 Ray Brown Road
Arch Cape, OR 97102

RE: Waiver of Requirement for Geologic Hazard Report; two proposed water wells sites for expansion of water production capacity; Map 4N 10W 31C, Tax Lots 100 and 402; Cove Beach, Clatsop County, Oregon;

Dear Charles:

I understand from you that the community of Cove Beach is considering expansion of their groundwater resources and intend to drill water wells on two tax lots, described above and posted on Figures 1 and 2. Horning Geosciences has carried out geologic investigations of both sites, one in 1996 and the other in 2009, the first as a development report and the second for construction of a water reservoir site. In both reports, it was concluded that geologic hazards were limited to the consequences of a large regional earthquake, including seismically triggered landslides.

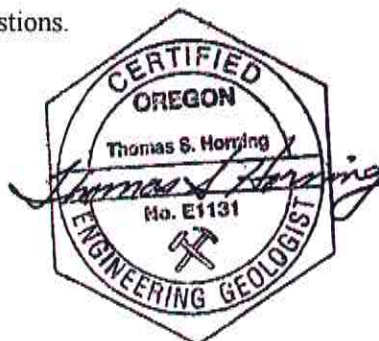
Although a Cascadia earthquake, ensuing tsunami, and seismically triggered landslides could occur at any time, the probability statistics suggest that the odds of the next quake are only about 20 percent over the next 50 years. In practice, these statistics tend to be regarded as too remote to justify denial of development permits, although where possible, the improvements are designed to withstand shaking forces and limit structural damage.

For both proposed water well sites, Witter and others (2009) have mapped the local geology as rock flow deposits of early Holocene to Pleistocene age (around 12,000 years old) that appear to have remained stable for thousands of years. This conclusion is consistent with findings by Horning (1996 and 2009) that landslide hazards are limited. Whether the next subduction zone quake will trigger landslide movements is uncertain, but it is likely that slopes will remain reasonably stable.

In view of the above discussion, it appears that landslides are not as susceptible as suggested by the Clatsop County Webmaps. As such, ***it is recommended that the requirement for geologic hazard reports be waived for this project.***

Please feel free to call or write if you have questions.

Thomas S. Horning, CEG #1131
Horning Geosciences



Expires: 7/1/20

References

Horning Geosciences, 1996, Geologic Hazard Appraisal, 10.3 acre lot between Highway 101 and Third Street, north of water district lot at Calder Street, Cove Beach, Oregon; 7 p.

Horning Geosciences, 2009, Geologic/Geotechnical Hazard Report; Map 4N 10W 31C, Tax Lot 100; Cove Beach, Clatsop County, Oregon; water tank installation for Falcon Cove Beach Domestic Water District; 11 p.

Witter, R.C., Horning, T., and Allan, J.C., 2009, Coastal Erosion Hazard Zones in Southern Clatsop County, Oregon: Seaside to Cape Falcon; Open File Report O 09-06; Oregon Department of Geology and Mineral Industries; 61 p.

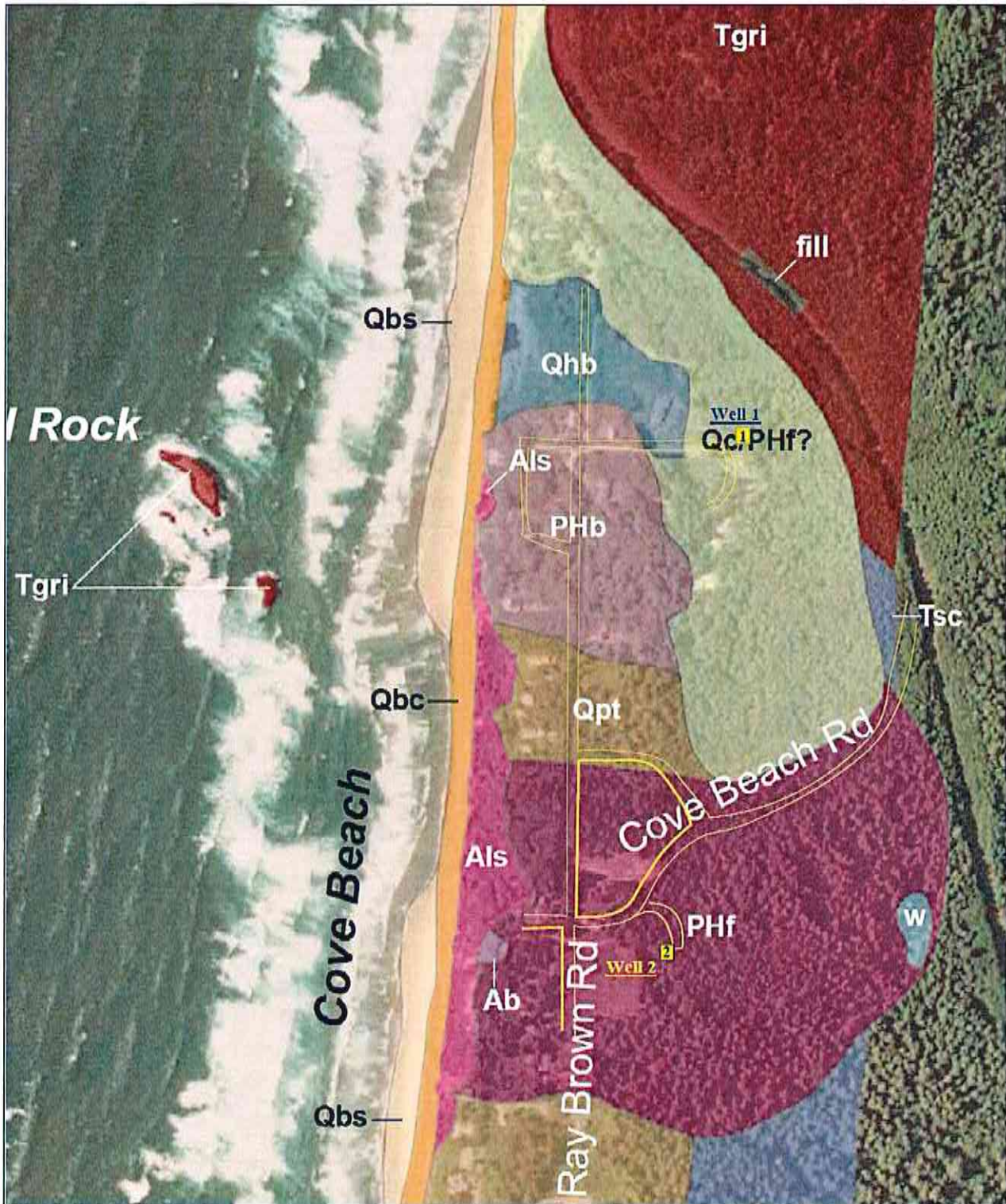


Figure 1: Geologic map for the north part of Cove Beach; after Witter and others (2009). Both proposed well sites lie within terrain mapped as Pleistocene to Holocene soil and rock flow deposits (PHf), regarded as presently stable. Neither site presently has significant geologic hazards, according to Horning (1996) and Horning (2009).



Figure 2: LIDAR shaded relief topographic map for the north part of Cove Beach. Well 2 lies within a rubble flow deposit consisting mostly of sandstone. Well 1 is in rubble flow of mudstone and sandstone. These mass wasting deposits are estimated to be perhaps more than 10,000 years old and are suspected of being triggered by a combination of both seismicity and Ice Age weather conditions.

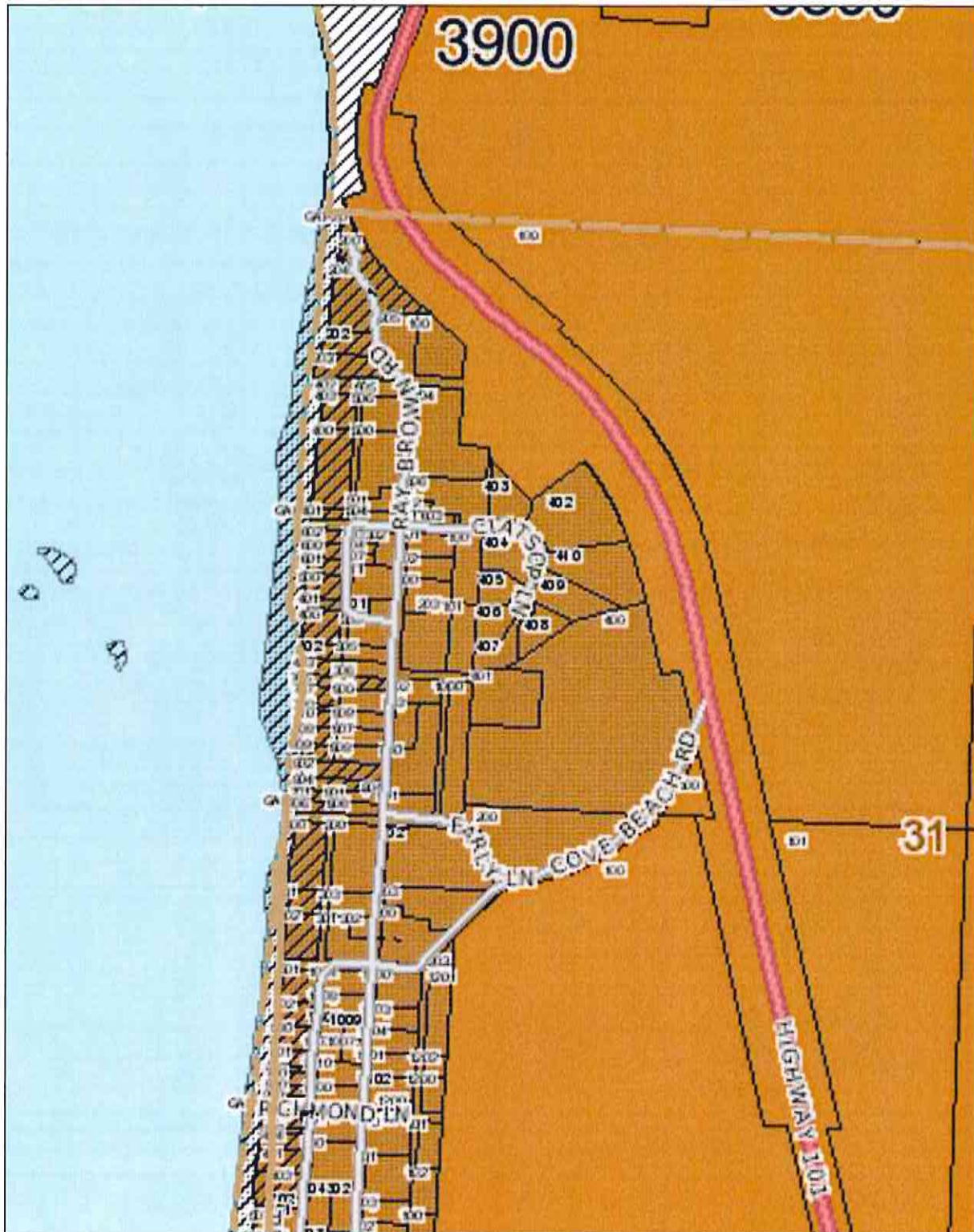


Figure 3: Clatsop County Webmaps overlay for landslide (orange) and shoreline erosion hazard (hatched).



PUBLIC HEALTH DIVISION
Drinking Water Services

Kate Brown, Governor

Oregon
Health
Authority

800 NE Oregon Street, Ste 640
Portland, OR 97232
Phone: (971) 673-0405
Fax: (971) 673-0694
www.healthoregon.org/DWP

June 13, 2019

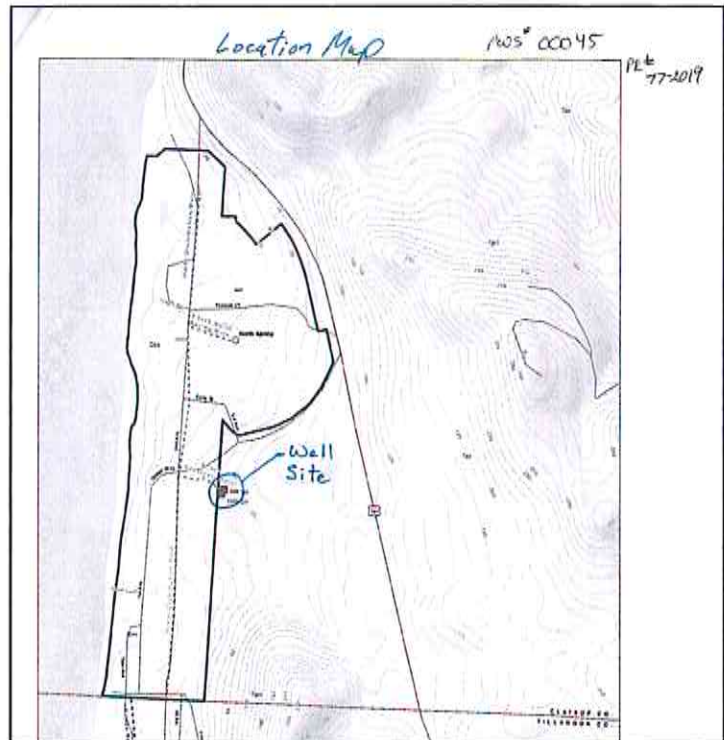
Ed Hodges, PE
Curran-McLeod, Inc.
6655 S.W. Hampton St., Suite 210
Portland, OR 97223

Re: **Falcon Cove Beach Water District (PWS #00045) – New Well L132105**
Curran-McLeod Project # 1530
Site Plan Approval (PR #77-2019)

Dear Mr. Hodges:

Thank you for your submittal to the Oregon Health Authority's Drinking Water Services (DWS) of plan review information for the new well on behalf of the Falcon Cove Beach Water District. On May 6, 2019, our office received a site map showing the location of a new well proposed for the District and a preliminary water well construction diagram. A plan review fee of \$825 and Land Use Compatibility Statement was received on May 6, 2019. The project includes drilling a new well to serve the District as shown to the right.

The proposed well site is approved. Please see the well evaluation results from our geologist on page 3 of this letter and the information listed on page 2 of this letter needed to complete this review as this site plan approval does not constitute approval for use of the well or approval on behalf of any other county or state agency (approval for use is not granted until a "Final Approval" letter has been issued).



Information needed to complete this review

In order to complete this review, please provide:

- 1) Plans and details showing how the new well will be plumbed into the system as well as GPS coordinates for the new well and details of the wellhouse showing construction in accordance with OAR 333-061-0050(2).
- 2) Evidence of the applicable land use approvals from Clatsop County (see page 4 of this letter);
- 3) Evidence of the applicable water rights required by the Water Resources Department (see page 4 of this letter);
- 4) Revised lease agreement with Oregon Parks and Recreation (OPRD) indicating that hazards will not be allowed within 100-ft of the well (see page 3 for acceptable language proposed by OPRD). Keep in mind that the current lease arrangement is for a limited time and, the District will need to maintain this lease agreement for as long as the District plans to use the well.
- 5) Test results for SOC, VOC, IOC, Uranium, Radium 226/228, Gross Alpha, and coliform bacteria (presence absence). Subsequent monitoring will depend upon the results of this monitoring and will generally be as shown in table 1 below.

Table 1 – Initial monitoring				Year 2	Year 3
Year 1				Year 2	Year 3
Sampling to be completed prior to Final Approval	Sample by the end of the first quarter of operation (after Final Approval)	2nd Quarter of Operation	3rd Quarter of operation		
Sample at the Source (SRC-CA)	Sample at the Entry Point (EP-C) to the distribution system served by the new source				
<ul style="list-style-type: none"> • Coliform • Nitrate, Nitrite • IOC, VOC, SOC • Arsenic • Radiological including uranium, gross alpha, and radium 226/228 	<ul style="list-style-type: none"> • Radiological • Lead and copper tap samples 	<ul style="list-style-type: none"> • Radiological if detects 	<ul style="list-style-type: none"> • Radiological if detects 	Annual: <ul style="list-style-type: none"> • Nitrate • VOC • SOC 	
Sampling at Customer Taps	Tap Sampling in the Distribution System (to assess impact of the new well on distribution system corrosion).				
<ul style="list-style-type: none"> • Lead and Copper 	<ul style="list-style-type: none"> • Sample at 10 Tier 1 sites (1st 6-months of operation) 		<ul style="list-style-type: none"> • Sample at 10 Tier 1 sites (second 6 months of operation) 	Reduction to 5 tap samples every 3 years is possible depending upon results	

Documentation and test results submitted to address the above-mentioned items should reference Plan Review #77-2019 and can be emailed to me at evan.e.hofeld@state.or.us or mailed to:

Attn: Evan Hofeld
OHA-Oregon Drinking Water Program
PO BOX 14450
Portland, OR 97293-0450

If you have any questions, please feel free to call me at 971-673-0419.

Sincerely,



Evan Hofeld, PE
Oregon Health Authority – Drinking Water Services

CC: Charles Dice, Falcon Cove Beach Water District
Annette Pampush, Tillamook County Environmental Health
Gail Henrikson, Clatsop County Community Development
Nikki Hendricks, Oregon Water Resources Department
Alice Beals, Oregon Parks and Recreation Department

Geologist Evaluation of the Well Report (adequately constructed into confined aquifer)

The proposed site plan was sent to our geologist, Tom Pattee, on 5/9/19 who discovered the well driller's report (CLAT 55068, Well ID# L132105), which showed that the well had been drilled on January 2, 2019. You confirmed on 5/14/19 that the well report was for a test well, which will be used as the District's supply well. Mr. Pattee evaluated the constructed well and provided the following comments on 5/21/19:

Comments: This well was drilled to a depth of 173 ft. The casing extends to a depth of 166 ft and the casing seal to a depth of 115 ft. The casing seal is completed 21 ft into a 57 ft thick sandstone layer that appears to be of low permeability and is assumed to act as confining layer. Sensitivity Analysis results suggest that the well construction is not sensitive to nearby land use practices.

Nature of Aquifer Evaluation:

Aquifer Nature: Confined aquifer Semi-confined aquifer Unconfined aquifer

Comments: This well draws water from what is interpreted as a thin basalt layer within the surrounding sandstone. The water-bearing zone is directly overlain by 57 ft of sandstone that is assumed to be of low permeability and acts as a confining layer. The static water-level rose from where first encountered in the basalt at 151 ft below ground level to 141 ft below ground level. Sensitivity Analysis result suggest that the aquifer is not highly sensitive to local land use practices.

Clatsop County Land Use Approval/Geologic Hazard Permit/Development Permit (required)

As of 5/30/19, the District had not submitted any applications to Clatsop County land use. The District will need a geologic hazard permit (or waiver) and a development permit. The District will need to work with Clatsop County to address their requirements as this site plan approval is not an approval on behalf of Clatsop County. Please contact Gail Henrikson with Clatsop County Community Development at:

Gail Henrikson, AICP, CFM, Director
Clatsop County Community Development
800 Exchange Street, Suite 100
Astoria, OR 97103
503.325.8611
503.338.3666 Fax
ghenrikson@co.clatsop.or.us
www.co.clatsop.or.us

Water Rights (potentially required)

As of June 3rd, 2019, the District had not applied for water rights with the Water Resources Department. The district will need a water right or do a transfer to use the well. Unless they only use the 15,000 gallon per day as an exempt group domestic use. Please contact Nikki Hendricks of the Oregon Water Resources Department to determine their requirements, as this site plan approval is not an approval to use the well without the appropriate water rights.

Nikki Hendricks
Watermaster, Dist. 1
Oregon Water Resources Department
4000 Blimp Blvd. Suite 400
Tillamook, OR 97141
Phone: 503-815-1967
Fax: 503-815-1968
Email: Nikki.M.Hendricks@oregon.gov

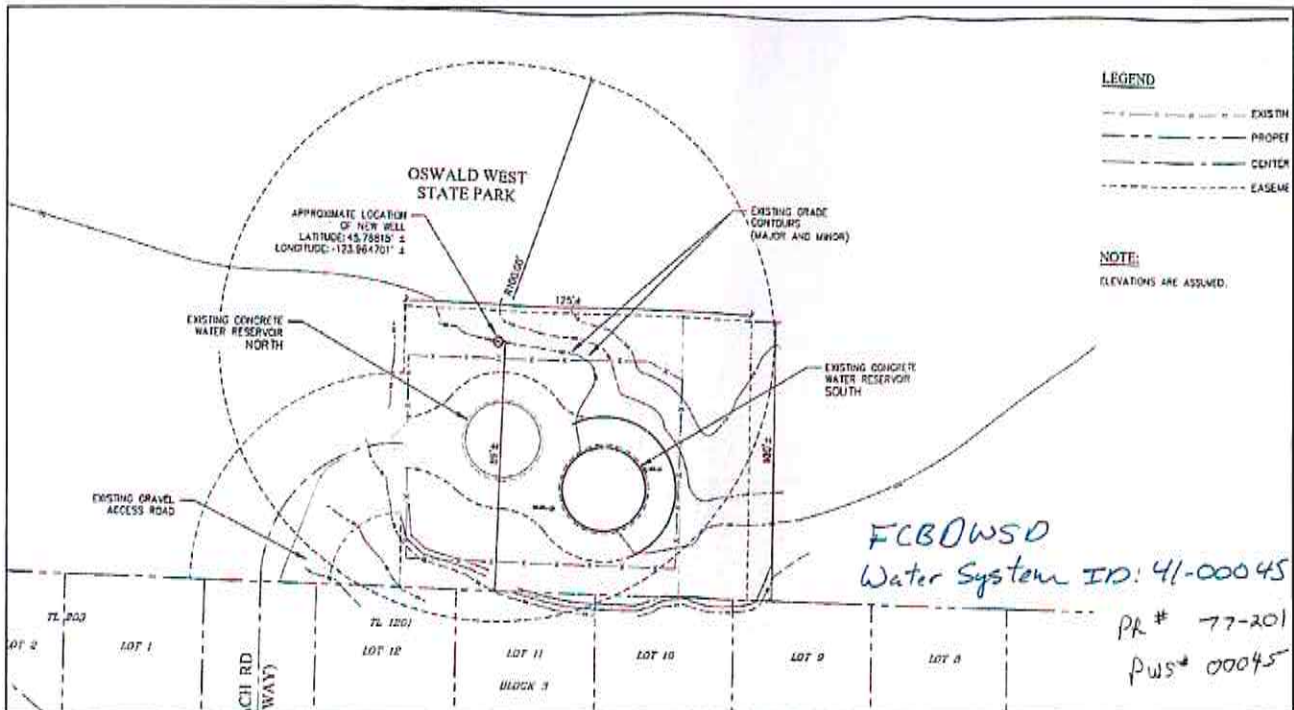
Control and prohibition of hazards within 100-ft of the well (required – ongoing)

Control/access around the well is granted to the District through a lease agreement with Oregon Parks and Recreation Department (the well and tanks are constructed in Oswald West State Park). The lease agreement will need to be amended to ensure that requirements for hazard setbacks in OAR 333-061-0050(2)(C) and (E) are met.

- (C) For wells located on land owned by a public entity, (Federal, State, County, Municipality) where the entity is not the water supplier, a permit may be issued by the public entity to the water supplier in lieu of an easement. Said permit shall state that no existing or potential public health hazard shall be permitted within a minimum of 100 feet of a well site;

(E) The following sanitary hazards are not allowed within 100 feet of a well which serves a public water system unless waived by the Authority: any existing or proposed pit privy, subsurface sewage disposal drain field; cesspool; solid waste disposal site; pressure sewer line; buried fuel storage tank; animal yard, feedlot or animal waste storage; untreated storm water or gray water disposal; chemical (including solvents, pesticides and fertilizers) storage, usage or application; fuel transfer or storage; mineral resource extraction, vehicle or machinery maintenance or long term storage; junk/auto/scrap yard; cemetery; unapproved well; well that has not been properly abandoned or of unknown or suspect construction; source of pathogenic organisms or any other similar public health hazards. No gravity sewer line or septic tank shall be permitted within 50 feet of a well which serves a public water system. Clearances greater than indicated above shall be provided when it is determined by the Authority that the aquifer sensitivity and degree of hazard require a greater degree of protection. Above-ground fuel storage tanks provided for emergency water pumping equipment may be exempted from this requirement by the Authority provided that a secondary containment system is in place that will accommodate 110 percent of the fuel tank storage.

Background: The current lease granted access/permission to develop water supply facilities within a 100-ft x 100-ft area in Oswald West State Park as shown below.



The initial lease appears to have started in 1989 for an initial duration of 5-years with three 5-year renewals, making it effectively a 20-year lease as shown below:

BACKGROUND

OPRD owns the land located at Oswald West State Park in the County of Tillamook, State of Oregon (collectively, the "Premises"). On July 17, 1989, OPRD granted a permit to FCBDWSD to construct and maintain a 79,000 gallon water tank and associated water line in a 100' x 100' area of land within the park. Comes now, FCBDWSD desiring to lease an additional portion of the Premises in order to add a second water tank. OPRD desires to grant to FCBDWSD the right to combine this additional portion of the Premises with the existing area in accordance with this Agreement.

The parties agree as follows:

1. **LEASE OF PREMISES.** OPRD hereby leases to FCBDWSD a certain portion of the Premises containing approximately 15,625 square feet, as more fully depicted on attached Exhibit 1.
2. **PERMITTED USE.** FCBDWSD may use the Premises to construct and maintain a new 105,000 gallon water tank including continuing use the existing 79,000 gallon water tank and water line as granted in the 1989 permit through the term of this Agreement (collectively, the "Permitted Use").
3. **TERM.**
 - (a) The initial lease term will be five (5) years ("Initial Term"), commencing on the Effective Date. The Initial Term will terminate on the fifth (5th) annual anniversary of the Effective Date.
 - (b) This Agreement will automatically renew for three (3) additional five (5) year term(s) (each five (5) year term shall be defined as the "Extension Term"), upon the same terms and conditions unless the FCBDWSD notifies the OPRD in writing of FCBDWSD's intention not to renew this Agreement at least thirty (30) days prior to the expiration of the existing Term.

A March 2019 lease amendment granted the District permission to construct and operate a water well in the 100'x100' space within the park. The District is in the 3rd of 3 5-year renewal periods. The lease agreement currently does not adequately address control and exclusion of hazards within 100-ft of the well under OAR 333-061-0050(2)(a)(C) and (E). OPRD proposed acceptable language that would address these requirements as shown below:

“OPRD recognizes and agrees that, in compliance with OAR 333-061-0050(2)(a)(C), OPRD will not allow any development or use of OPRD lands within 100 feet of the well site that are inconsistent with OAR 333-061-0050(2)(a)(E).”

Alice M. Beals
Oregon Parks and Recreation Department
725 Summer Street NE, Suite C
Salem, Oregon 97301-1266
(503) 986-0761 (office)
(503) 580-1568 (cell)

CURRAN-McLEOD, INC.
6655 S.W. HAMPTON ST., SUITE 210
PORTLAND, OR 97223

PHONE (503) 684-3478
FAX: (503) 624-8247

RECEIVED
MAY 06 2019

LETTER OF TRANSMITTAL

FIELD SERVICES
DRINKING WATER PROGRAM

TO: Plan Review OHA Drinking
Water Services
800 NE Oregon Street, Suite
640
Portland, Oregon 97232-2162

DATE: 3/27/2019

7-7-2019
PDS-6-19
825

PWS # 00045

FROM: Edward Hodges

PROJECT: FCB - New Source Well

PROJ. # 1530

RE: Falcon Cove Beach Plan Review for Proposed Well - Prior to Construction

NOTE: _____

Attached are:
Fee Check, Signed LUCs, Locus and Site Plans and Well Construction Details

The attached document(s) was/were transmitted as checked below:

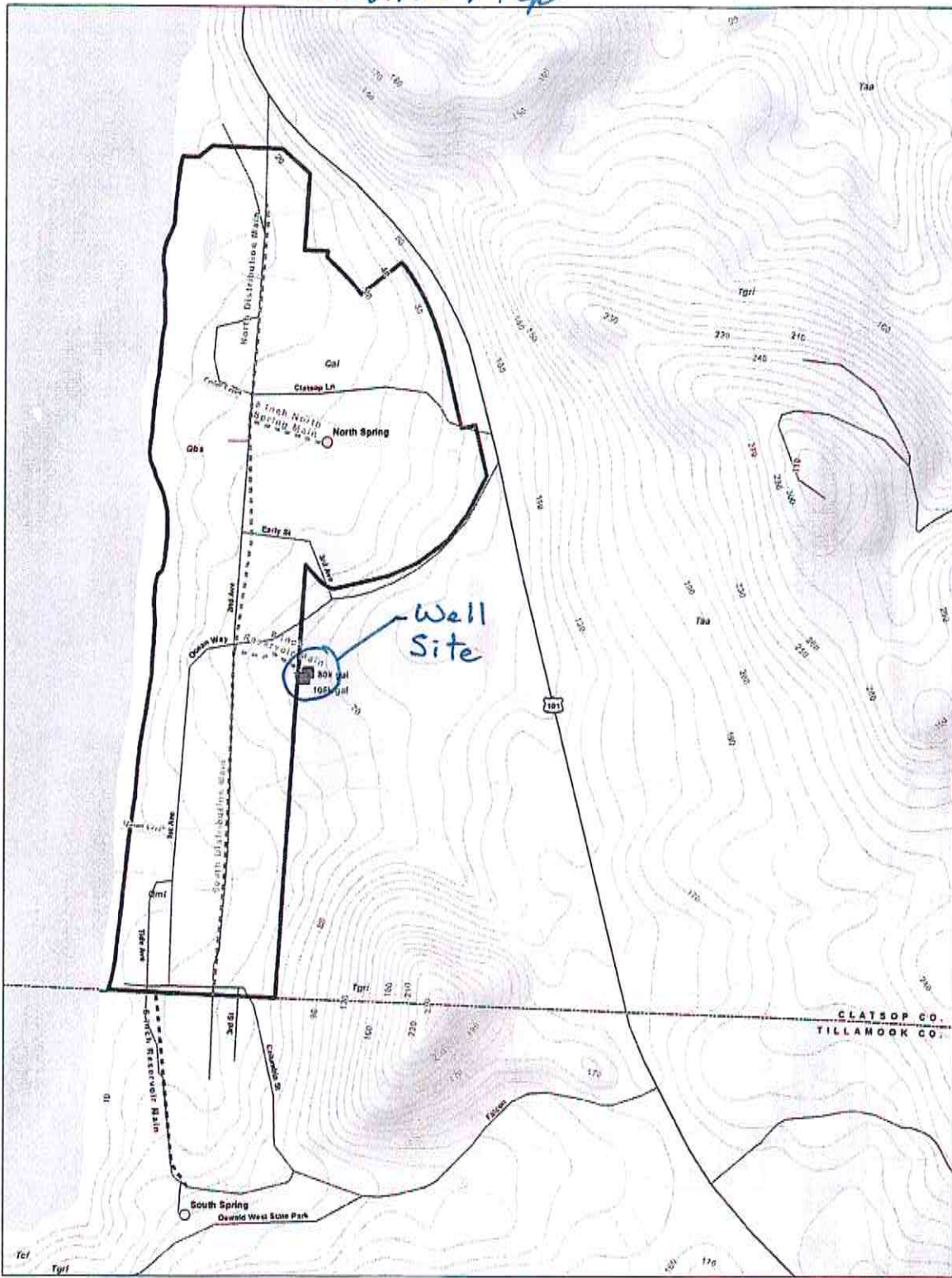
- For signature and return
- For your information/use
- For review and comment

- For approval and return
- Per your request
- Other _____

Location Map

POSS # 00045

PR # 77-2019



LEGEND

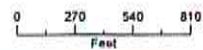
- | | | |
|------------------------------|--------------------------------|--------------------------------------|
| ○ Spring | Mains | Tcf, Cape Falcon Conglomerate |
| ■ Reservoir | - - - North Distribution Main | Omi, Coastal Marine-Terrace Deposits |
| ▣ Falcon Cove Water District | - - - South Distribution Main | Tgri, Intrusive Grande Ronde Basalt |
| All Other Features | - - - 8 Inch North Spring Main | Qal, Quaternary Alluvium |
| — Elevation Contour, 5' | - - - 8 Inch Reservoir Main | Qbs, Quaternary Beach Sand |
| ▭ County Boundary | - - - 6 Inch Reservoir Main | Tsc2, Smuggler Cove Formation |
| — Watercourse | Surficial Geology | Taa, Astoria Formation |
| — Waterbody | | |

NOTE:
1. Falcon Cove Beach Water District has been truncated at the Clatsop County border and the District extends into Tillamook County, and includes the South Spring.

FIGURE 2

Surficial Geology of Falcon Cove Beach
Preliminary Water Supply Source Expansion Assessment for Falcon Cove Beach Water District

Date: April 9, 2016
Data Sources: ESRI, USGS, Clatsop Co., DOGAMI



LEGEND

- EXISTING FENCE
- PROPERTY LINE
- CENTER LINE
- EASEMENT LINES

NOTE:
ELEVATIONS ARE ASSUMED.

FCBOWSD
Water System ID: 41-00045

PR # 77-2019
PWS# 00045

RECEIVED
MAY 0 8 2019
CLATSOP COUNTY WATER DIVISION

DATE	BY	DESCRIPTION

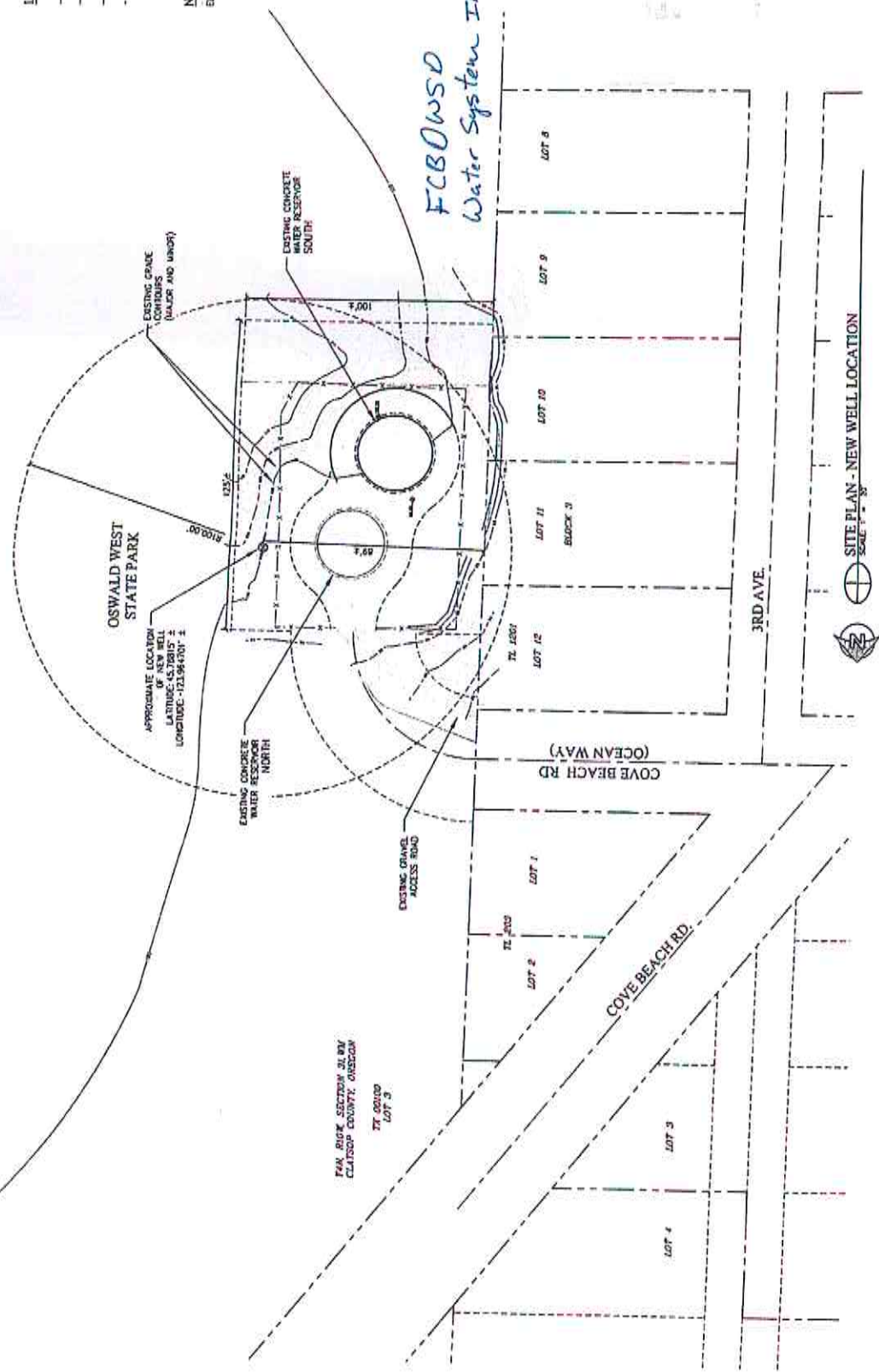
FALCON COVE BEACH DOMESTIC WATER SUPPLY DISTRICT
NEW WELL SITE PLAN
WATER STORAGE RESERVOIR NO. 2
CLATSOP COUNTY, OREGON

CURRAN-MCLEOD, INC.
CONSULTING ENGINEERS
9555 S.W. HUNTER ST., SUITE 200
PORTLAND, OREGON 97224-3473
PHONE (503) 841-3473

NO.	DATE	REVISIONS

BAR IS ONE INCH ON ORIGINAL DRAWING. ADJUST SCALE TO SHOW ACCURATELY.

REVISIONS



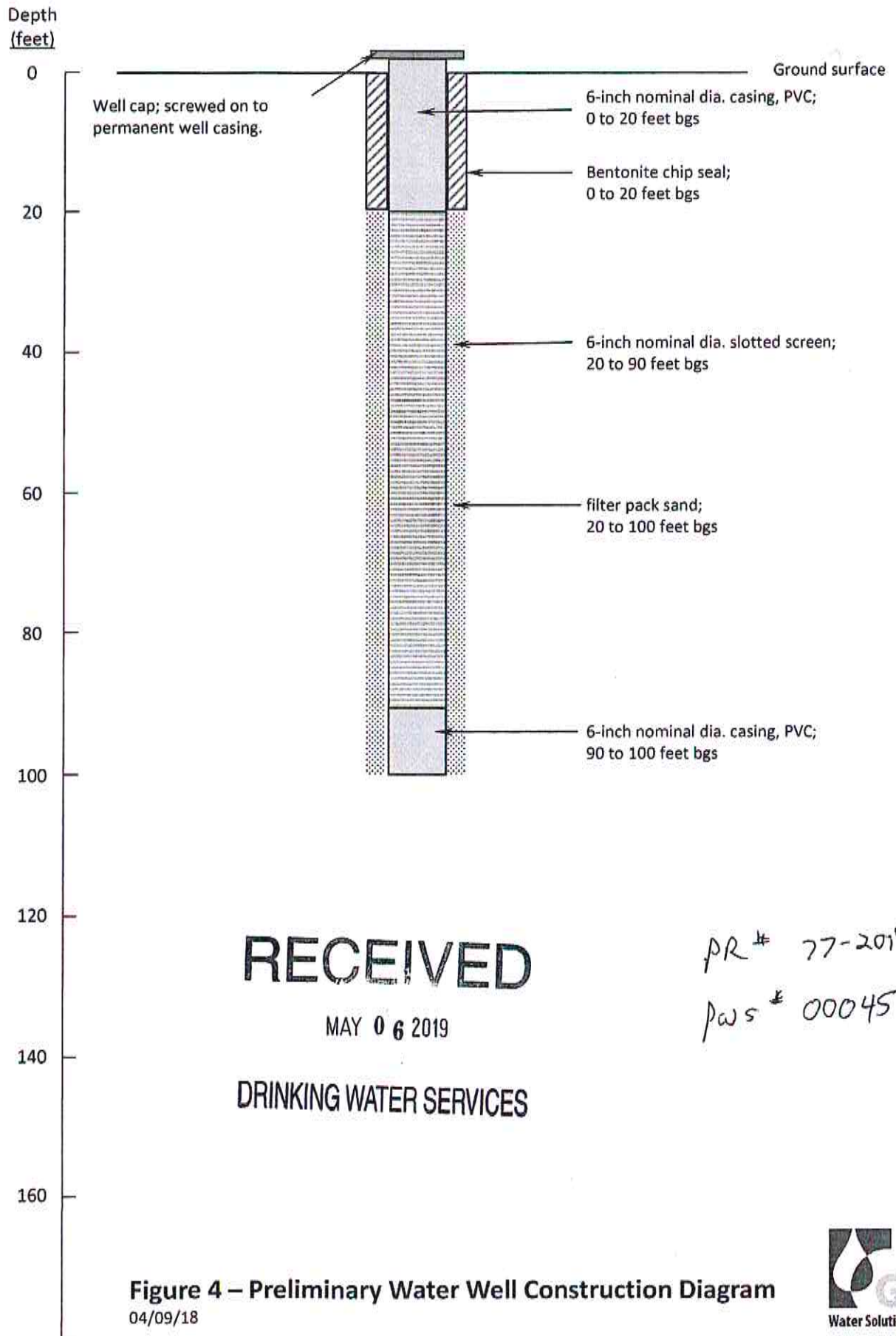


Figure 4 – Preliminary Water Well Construction Diagram

04/09/18

OPR # 77-2019
PWS# 00045

1st AMENDMENT TO THE LEASE AGREEMENT

THIS 1st AMENDMENT TO THE LEASE AGREEMENT, dated as of the latter of the signature dates below, is by and between the State of Oregon, by and through the Oregon Parks and Recreation Department, having a mailing address of 725 Summer St. NE, Suite C, Salem, OR 97301 (OPRD) and the Falcon Cove Beach Domestic Water Supply District (FCBDWSD), having a mailing address of 79387 Ray Brown Road, Arch Cape, Oregon 97102.

WHEREAS, OPRD and FCBDWSD entered into a lease dated December 4, 2009 whereby OPRD leased to FCBDWSD the Premises, therein described, located within Oswald West State Park (Lease Agreement); and

WHEREAS, OPRD and FCBDWSD desire to amend the Lease Agreement to allow FCBDWSD to construct, operate and maintain a water well system on said Premises; and

WHEREAS, OPRD and FCBDWSD, in their mutual interest, wish to amend the Lease Agreement as set forth below accordingly,

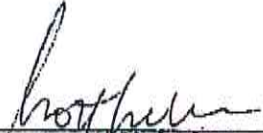
NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, OPRD and FCBDWSD agree as follows:

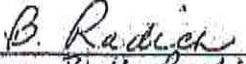
- 1. **Right to Construct Water Well.** FCBDWSD, its contractors, employees, agents and subcontractors shall have the right to go upon the Premises for the purpose of constructing a well water system, to include pump house and utilities necessary for the continued use, operation and maintenance of said well water system.
- 2. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Lease Agreement and this 1st Amendment, the terms of this 1st Amendment shall control. Except as expressly set forth in this 1st Amendment, the Lease Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Lease Agreement to itself shall be deemed also to refer to this 1st Amendment.
- 3. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Lease Agreement.

IN WITNESS WHEREOF, the parties have caused this 1st Amendment to be effective as of the last date written below.

OPRD:

FCBDWSD:

By: 
 Print Name: Scott Nebeker
 Its: Park Development Administrator
 Date: 3-19-19

By: 
 Print Name: Beth Radich
 Its: Board Chair
 Date: March 16, 2019

**State of Oregon
Parks and Recreation Department**

Falcon Cove Beach Water District (Permittee)	Right of Entry Permit Oswald West State Park Tillamook County
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This Right of Entry Permit is between the State of Oregon, Parks and Recreation Department, hereinafter called the Department and Falcon Cove Beach Water District, hereinafter called Permittee. The Department's supervising representative for this Permit is Ben Cox, Park Manager, 34600 Gary St., Nehalem, Oregon 97131, phone (503) 368-5943, ext. 222.

The subject property is identified on Exhibit A, hereinafter called Department's property.

Effective Date and Duration: This Permit shall become effective on the date signed by all parties and will continue until the project is completed. Department can revoke the permit if the work is not completed within two (2) months of the effective date of the Permit.

Purpose of Agreement: The Permit is given for the purpose of allowing Permittee, its contractors, employees, agents and subcontractors, the right and license to go upon Department's property for the purpose of drilling no more than two test wells on the subject property, which is currently being leased by Permittee, and to allow for the monitoring of historical and cultural resources. Said activity is only for drilling test wells to study the feasibility of constructing a new water supply well on Department's property. This permit does not allow for the construction of a new well. Such activity, should one of the test wells prove feasible, will require an amendment to the lease with additional terms and conditions, subject to approval by both parties.

Fee: The fee for this Permit shall be \$0.00.

Terms and Conditions:

1. This Permit will terminate when the testing work is completed. However, the Department may, in its discretion, restrict this permit effective immediately on notice to the Permittee in the event of an emergency or substantial threat to the public welfare, safety or property arising from the activity, and may cancel the permit effective immediately upon any breach of other permit conditions. The Permittee shall terminate the activity immediately upon receipt of notice from the Department that the permit has been cancelled
2. Permittee shall employ erosion control during activity and restore the property upon completion of their work in a manner agreed to by the Park Manager.

3. No trimming of trees, tree removal or improvements are allowed on Department's property.
4. Permittee must follow the following conditions from the Department's Archaeologist:
 - a. Provide archaeological monitoring by a professional archaeologist during all ground disturbing activities. Provide OPRD a copy of the monitoring report detailing the results of the current project.
 - b. Provide OPRD with a copy of the archaeological monitoring report prepared during the initial construction of the tanks in 2009-2010.
 - c. In the event that archaeological or historical resources (historic objects, cultural features, artifact concentrations, or human remains) are encountered during the project, all activities will be stopped at the site of the discovery until the find can be evaluated by a qualified archaeologist. Immediately contact the OPRD cultural resources staff for further guidance. Work should remain stopped at the site of the discovery until the find has been evaluated and recommendations made in consultation with the OPRD Archaeologist, State Historic Preservation Office (SHPO), and affected Tribes if necessary in accordance with applicable State laws and regulations.
5. Except in the case of emergency conditions, such as vehicle or equipment failure, no party shall obstruct the use of Department's property. All risk of loss of Permittee's property shall be that of Permittee. Permittee acknowledges that it examined and has knowledge of Department's property.
6. The Permittee shall not move, cover, disturb, damage or destroy any boundary markers or stakes on Department's lands.
7. Upon the termination of this agreement, or prior thereto, the Permittee shall clean up the area upon which any materials have been piled and stored and shall leave the property in a clean and sightly condition. If Permittee does not remove materials, Department may have the materials removed and recover costs and damages from the Permittee.

Assignment: The Permittee shall not assign this permit, nor any rights granted hereunder, in whole or in part.

Compliance with all Government Regulations: Permittee shall be responsible to insure that uses under this permit are consistent with the local land use plan for the area. Permittee shall also comply with all applicable federal, state and local laws, regulations and ordinances.

Indemnity/Hold Harmless: The Permittee shall indemnify, defend, and hold harmless the State of Oregon and its Parks and Recreation Commission, its Parks and Recreation Department, its

officers, divisions, employees, agents, against any and all damages, claims, suits, or cause of action of any nature arising out of or in connection with the activities of Permittee.

Acts or Omissions: The Permittee shall keep the said lands free and clear at all times from all liens and encumbrances, and claims of every character, which are based upon any act or omission on the part of the Permittee or claimed under him/her, or which arise out of his/her exercise of any right granted or failure to perform any obligation imposed hereunder, and which would in any way bind or become a charge or lien against the said lands.

Amendments: The terms of this agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever without prior written approval of the Department.

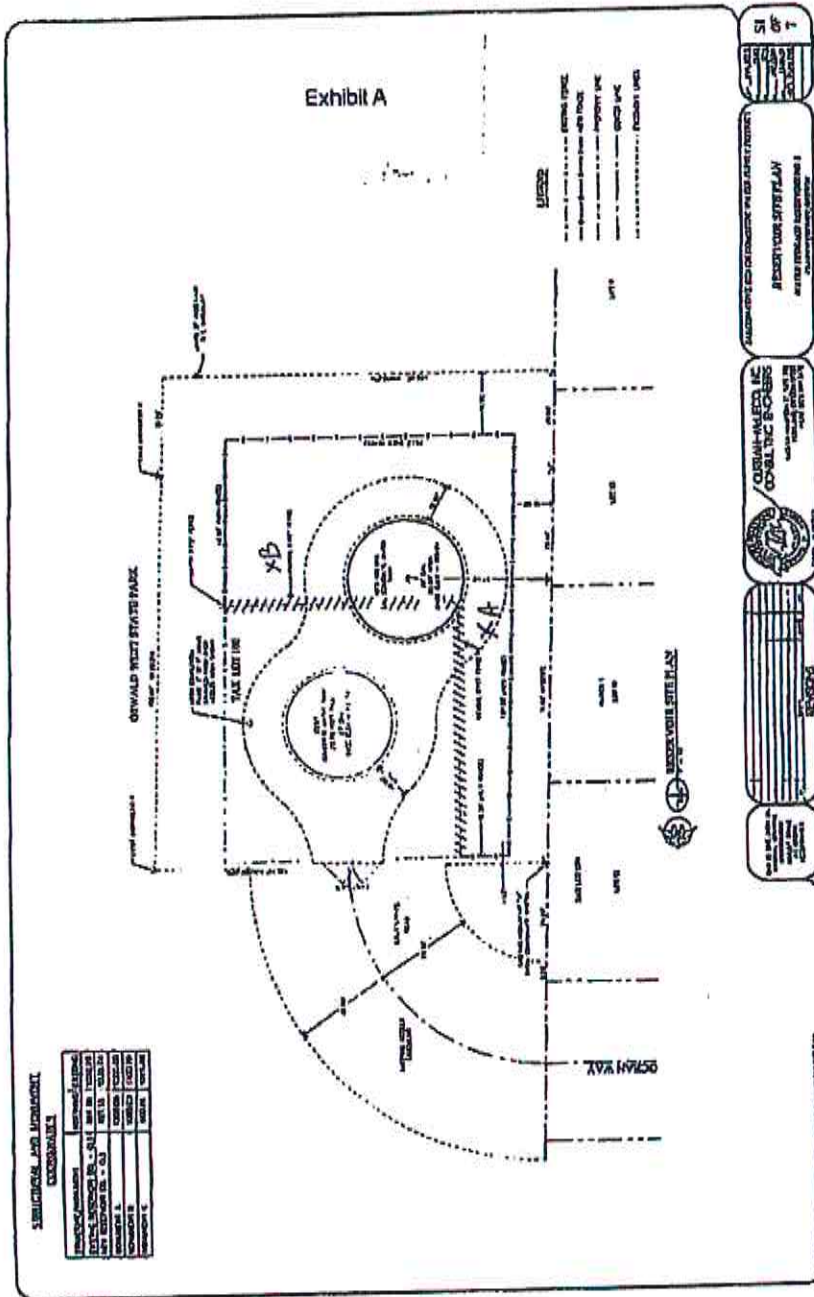
Insurance: Permittee assumes full responsibility and liability for damages or injury to any member of the public arising out of the Permittees activity, including personal injury and property damage, and for any damage to park property. Permittee shall provide proof of insurance which names the State of Oregon, its Parks and Recreation Department, and its divisions, officers, agents, employees and commission members as additional insured's. The coverage shall be as follows:

- a. Commercial General Liability insurance covering personal injury and property damage in an amount not less than \$1,000,000 combined single limit per occurrence.
- b. Failure to provide the insurance certificate as required herein shall be a default allowing the Department to terminate this Agreement.

FCBWD SECRETARY 12/21/2018
Accepted by Permittee Date

Approved by Oregon Parks and Recreation Department:

Park Manager 12/21/18
Park Manager Date



Mon, 17 Dec 2018 12:18:16

RECEIVED
MAY 06 2019

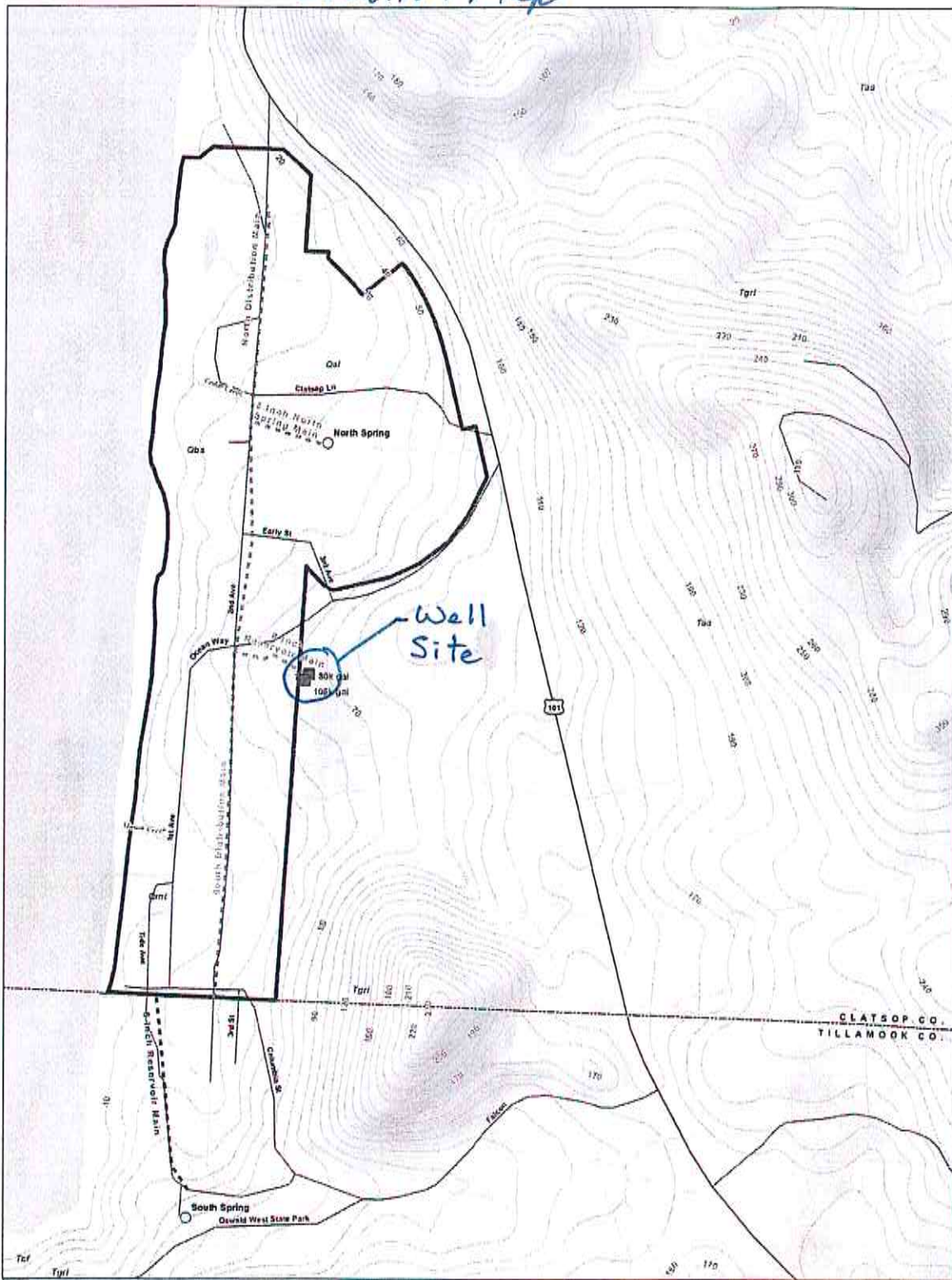
FIELD SERVICES
DRINKING WATER PROGRAM

6102-ET

Location Map

PWS# 00045

PR# 77-2019



LEGEND	
○ Spring	Mains
◻ Reservoir	- - - North Distribution Main
◻ Falcon Cove Water District	- - - South Distribution Main
All Other Features	- - - 8 Inch North Spring Main
Elevation Contour, 5'	- - - 8 Inch Reservoir Main
County Boundary	- - - 6 Inch Reservoir Main
Watercourse	Surficial Geology
Waterbody	Tas, Astoria Formation
	Tcf, Cape Falcon Conglomerate
	Omt, Coastal Marine-Terrace Deposits
	Tgri, Intrusive Grande Ronde Basalt
	Qal, Quaternary Alluvium
	Qbs, Quaternary Beach Sand
	Tsc2, Smuggler Cove Formation

FIGURE 2
Surficial Geology of Falcon Cove Beach
 Preliminary Water Supply Source Expansion Assessment for Falcon Cove Beach Water District

NOTE:
 1. Falcon Cove Beach Water District has been truncated at the Clatsop County border and the District extends into Tillamook County, and includes the South Spring.

Date: April 9, 2019
 Data Sources: ESRI, USGS, Clatsop Co., DCGAM

0 270 540 810
 Feet

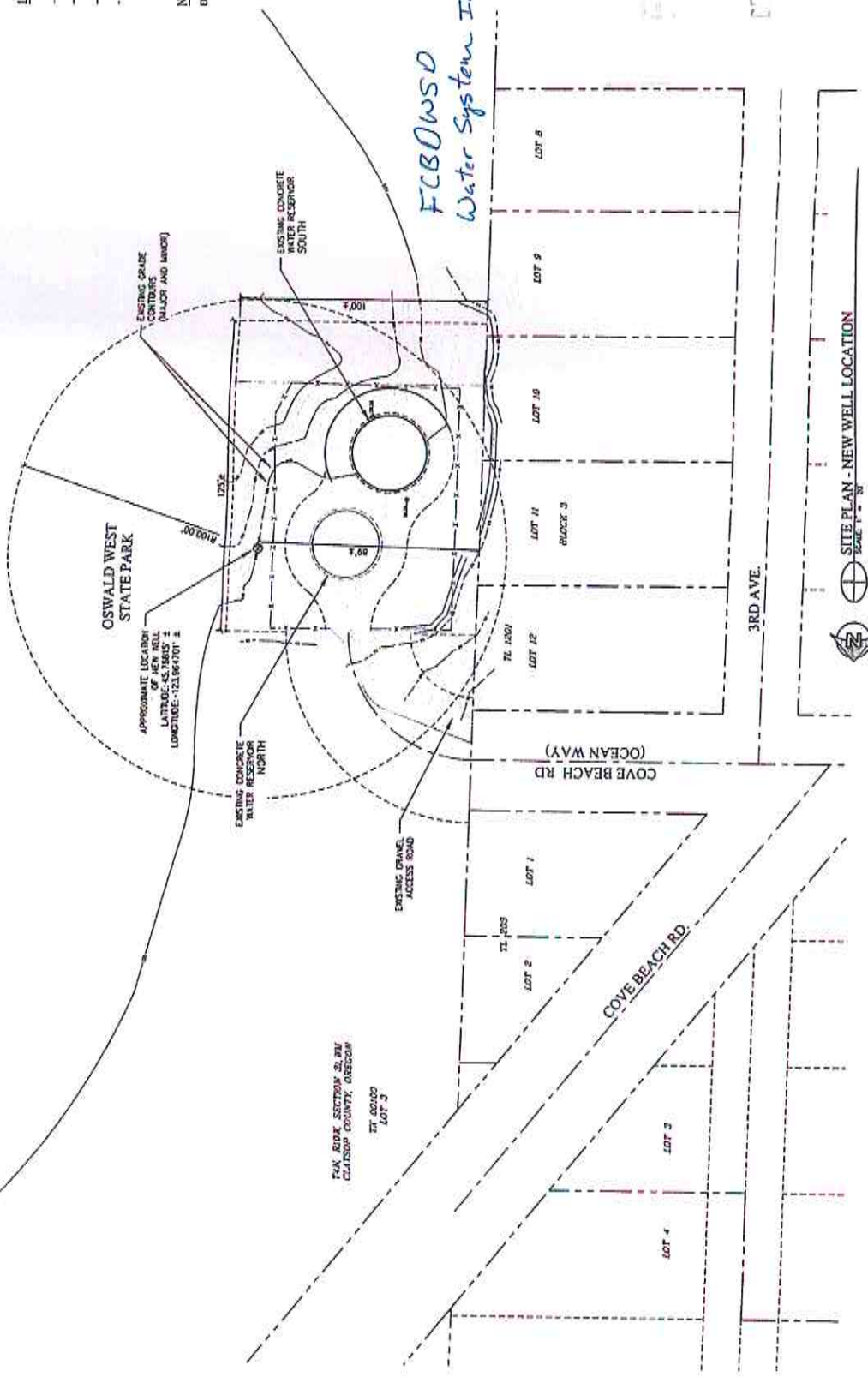
LEGEND

- - - - - EXISTING FENCE
- - - - - PROPERTY LINE
- - - - - CENTER LINE
- - - - - EASEMENT LINES

NOTE:
ELEVATIONS ARE ASSUMED.

*FCBOWSD
Water System ID: 41-00045
PK # 77-2019
PWS# 00045*

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DRINKING WATER DIVISION



SITE PLAN - NEW WELL LOCATION
SCALE: 1" = 30'

DATE	BY	DESCRIPTION
11/14/2018	JK	ISSUE FOR PERMIT
05/06/2019	JK	ISSUE FOR PERMIT
05/06/2019	JK	ISSUE FOR PERMIT

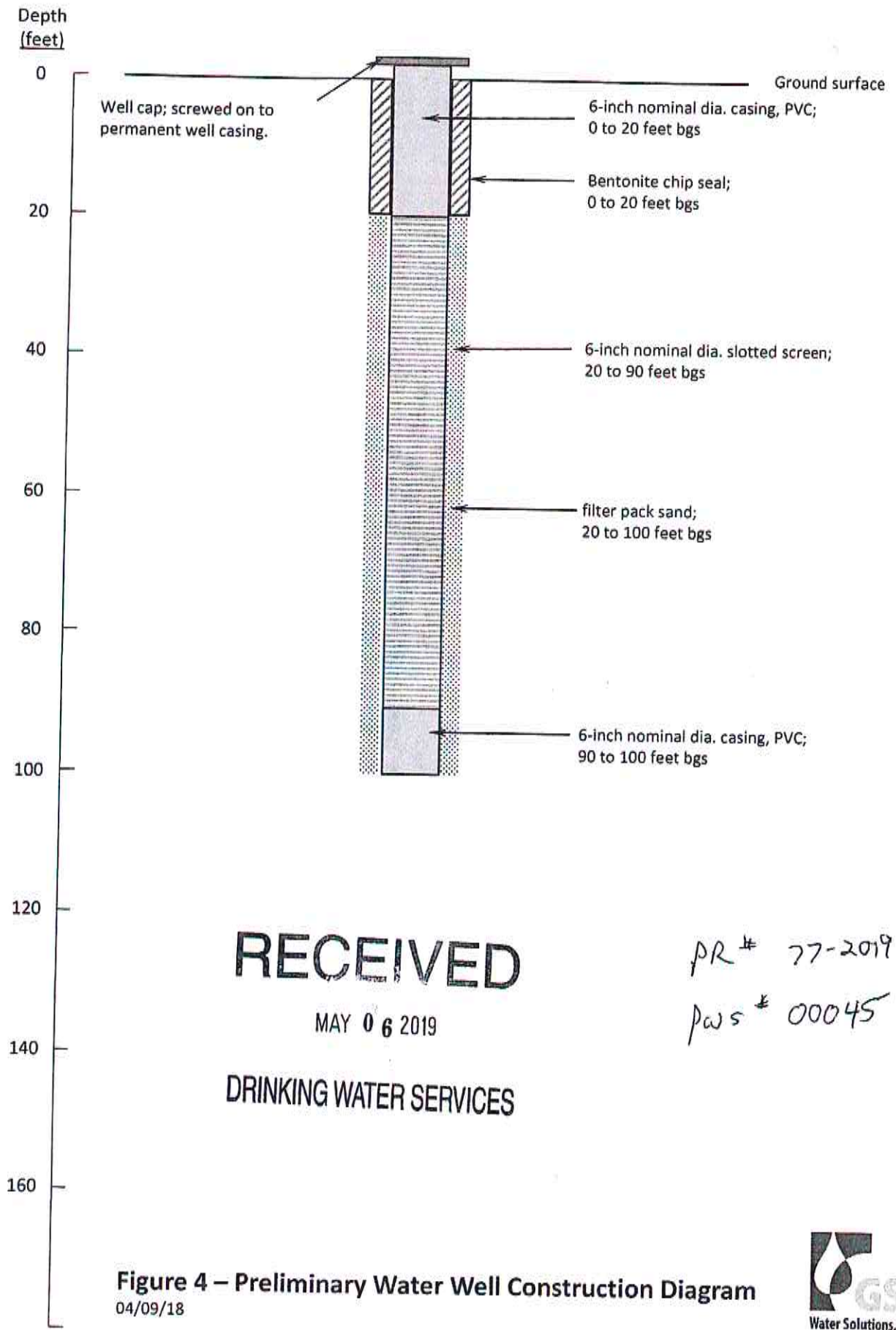
FALCON-COVE BEACH DOMESTIC WATER SUPPLY DISTRICT
NEW WELL SITE PLAN
WATER STORAGE RESERVOIR NO. 2
CLATSOP COUNTY, OREGON

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS
8635 S.W. HANPTON ST., SUITE 203
PORTLAND, OREGON 97223
PHONE (503) 881-3418

NO.	DATE	REVISIONS

THIS SITE PLAN IS THE PROPERTY OF CURRAN-McLEOD, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM CURRAN-McLEOD, INC.

7/17/2018 Cove Beach WPD1530 RESERVOIR#5-BUILT SET#1530-WELL SITE PLAN 2/17/2018 2:41:11 PM, KROHN TASCAN 55011 001112120



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MAY 06 2019

DRINKING WATER SERVICES

PR # 77-2019

PWS # 00045

Figure 4 – Preliminary Water Well Construction Diagram
04/09/18

