

## EXHIBIT "C"

### WELLHEAD PROTECTION PLAN:

#### Short Title and Purpose

- a) This document shall be known as the "Wellhead Protection Plan"
- b) It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to contamination of the public water supply, and to formalize ground water protection/pollution abatement and control procedures. Specific goals are to:
  - 1. Protect human life and health;
  - 2. Insure that the public is provided with a sustainable safe potable water supply.
  - 3. Minimize expenditure of public money for pollution remediation projects;
  - 4. Minimize regulations on land use;
  - 5. Minimize business interruptions;

## II.

Definitions. When used in this Ordinance the following words and phrases shall have the meanings given in this section:

- a) Best Management Practices (BMP's) Are those methods, measures, or practices to prevent or reduce water pollution and include but are not limited to structural and nonstructural controls, and operation and maintenance procedures.
- b) Community Water System A public system which serves at least fifteen (15) service connections used by year-round residents or regularly serves at least twenty-five (25) year-round residents.
- c) Facility Refers to any business or corporation that is built, installed, or established to serve a particular purpose.
- d) Feed Lot A parcel of land whereon there is contained an operation of feeding or raising animals in excess of one hundred (100) animal units per acre or in excess of five hundred (500) animal units per parcel of land. One animal unit is equivalent to one beef cow, steer, feeder or fat beef animal or one horse; 0.7 swine; 6.7 sheep; 33 hens, capons, broiler, or ducks; and 10 geese or turkeys.

- e) Hazardous Waste Disposal Facility Means a hazardous waste treatment, storage, or disposal facility which receives hazardous material as described in Part 40 Chapter 260.1 of the Code of Federal Regulations.
- f) Hazardous Waste or Material Any waste or material which because of its quantity, concentration, physical, chemical or infectious characteristics may;
1. Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or
  2. Pose a substantial present or potential hazard to human health or to the environment when improperly treated, stored, transported, disposed of or otherwise managed.
  3. Any material or substance designed as a hazardous or toxic substance defined by Part 40 Chapter 261.3 of the Code of Federal Regulations, or any material or substance designated as a hazardous or toxic substance by the State of Idaho, acting through the division of Environmental Quality or any successor agency.
- g) Injection means the subsurface emplacement of fluids.
- h) Livestock Confinement Operation any lot, corral, pasture, or facility where one or more apply:
1. The lot size is less than one acre,
  2. The number of animal units exceeds the number of animals permitted in the zone they are located,
  3. The animals are supplemented or fed food other than grass,
  4. The pasture is over grazed,
  5. Animals are confined, or stabled and fed, or maintained for a total of 45 days or more in any 12 month period.
- i) Non-Community Water System A public water system that is not a community water system.
- j) Public Water System A system that provides the public with piped water for human consumption, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year. Such term includes (1) any collection, treatment, storage, and distribution facilities under control of the operator of such system, and used primarily in connection with such system, and (2) any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system. A public water system is either a "community water system" or a "non-community water system."

- k) Sanitary Landfill A solid waste disposal operation where the wastes are spread on land in thin layers, compacted to the smallest practical volume, and covered with cover material once each day of operation in order to safeguard against environmental pollution, nuisances, and health hazards.
- l) Time of Travel Districts (TOT) The time required for a contaminate to move in the ground from a specific point to a well. The area over which contaminants will typically travel during a specified period in a specified type of aquifer, as defined by Table #1.
- m) Underground Injection Well Is any excavation or artificial opening into the ground which meets the following three criteria:
  - 1. It is a bored, drilled or dug hole, or is a driven mine shaft or a driven well point; and
  - 2. It is deeper than its largest straight—line surface dimension; and
  - 3. It is used for or intended to be used for injection.
- n) Wellhead Protection Overlay District (WHP) A land use designation on the Land Use Map, or a zoning designation on a zoning map, that modifies the basic underlying designation in some specific manner. The Wellhead protection Overlay District will also appear in the Hazardous Component of the Comprehensive Plan. A map will define specific area districts centering around wells supplying drinking water to a public water system, as defined in Iie.
- o) Wellhead The upper terminal of a well, including adapters, ports, seals, valves and other attachments.
- p) Overlay Wellhead Protection District Overlay wellhead protection districts are delineated using one of the following methods;
  - 1. Calculated Fixed Radius
  - 2. Arbitrary Fixed Radius
  - 3. Simplified Variable Shapes
  - 4. Semi-analytical, and Analytical Methods
  - 5. Hydro-geologic Mapping
  - 6. Numerical Modeling
 and follow the guidelines established in the Idaho Wellhead Protection Plan.
- q) Wellhead Protection Overlay District Ia A minimum fixed radius extending no less than fifty (50) feet radially from the wellhead supplying potable water to the City of Grangeville, public water supplies.
- r) Wellhead Protection Overlay District Ib A three (3) year time of travel district

(TOT) as defined in section XIX.

- s) Wellhead Protection Overlay District II A six (6) year time of travel district (TOT) as defined in section XIX.

### III.

Establishment of Wellhead Protection Overlay District There is hereby established a wellhead protection overlay district identified and described as all the area within the six (6) year TOT district around public water supplies for the CITY OF GRANGEVILLE in Idaho County, where the wells are located. It is further established that these areas be composed of three (3) districts, Wellhead Protection Overlay District Ia, Wellhead Protection Overlay District Ib, Wellhead protection overlay District II, as they are defined in paragraph II, of this Ordinance, and as they are specifically named and legally and arithmetically described in paragraph XVIII, of this ordinance.

### IV.

Restrictions within Zone Ia of the Wellhead Protection Area The following uses or conditions, including but not limited to, shall be and are hereby prohibited within Zone Ia of the Well head protection overlay District.

- a) Surface use of storage of hazardous material, expressly including herbicide and pesticide applications to the soils, ground water or surface water.
- b) Sanitary Landfills
- c) Hazardous waste Facility
- d) Underground storage tanks
- e) Sanitary sewer lines
- f) Underground injection wells
- g) All other facilities involving the collection, handling, manufacture, use, storage, transfer or disposal of any solid or liquid material or waste having a potentially hazardous impact on ground water quality;
- h) Disposal of waste oil, oil filters, tires and all other petroleum products
- i) Septic tanks and drain fields

- j) Animal feedlots

V.

Permitted Uses Permitted uses within Zone Ia shall be limited to necessary wellhead equipment, wellhead facility- buildings, water storage tanks and approved landscaping and Disinfection Equipment and Chemicals.

VI.

Permitted Uses within Zone Ib, Zone II, The following uses may be permitted within Zone Ib, and Zone II, of the Wellhead Protection Area.

- a) Most uses will not be restricted as long as these uses comply with existing ordinances, county, state and federal regulations pertaining to the discharge of contaminates. Permitted uses shall use Best Management Practices (BMP's) and monitoring wells may be required as part of permitting requirements.
- b) Only the following underground injection wells will be allowed:
  - 1. Deep well injection (below 18 feet in depth)
    - a) Geothermal Heat
    - b) Heat Pump Return
    - c) Cooling Water Return
  - 2. Shallow well injection only (less than 18 feet in depth)
    - a) Storm Runoff
    - b) Agricultural Runoff Water
    - c) Special Drainage Water
    - d) Aquifer Recharge
    - e) Aquifer Remediation
    - f) Septic Systems (General)

VII.

Requirements for Facilities Existing Within the Wellhead Protection Areas in Zones Ia, Ib and II.

- a) Upon the request of the Planning and Zoning Committee, or the Public Works Superintendent, facilities shall provide copies of all federal, state and local facility operation approval permits and ongoing environmental and safety procedures already in use with

regards to pollution control measures.

- b) Facilities shall have the responsibility of devising and filing with the City a contingency plan satisfactory to the County for the immediate notification to the County officials in the event of an emergency.
- c) Existing facilities that do not conform with the new to existing restrictions within the overlay districts will be allowed to continue operating as normal. The non-conforming facility may be sold and the new owners will not be required to update the facility unless other Federal, State or Local regulations require it.
- d) Expansion of any use any more than 20% of physical facilities or production components, whether any single or multiple increments, will require full review, to determine if the expansion will pose a hazard or threat to the existing groundwater quality. Approval will only be granted when the Planning and Zoning Commission determines there is no hazard or threat to the groundwater quality.

#### VIII.

Restrictions within Zone 1b of the Wellhead Protection Area The following uses or conditions, including but not limited to, shall be and are hereby prohibited within Zone 1b of the Wellhead Protection areas whether or not such use or condition may otherwise be ordinarily included as part of a use permitted under Section VI. of this Ordinance:

- a) Sanitary landfills
- b) Animal feed lots
- c) Hazardous waste facility
- d) Deep underground injection wells
- e) All manufacturing or industrial businesses involving the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous solid or liquid material or waste having potential impact on groundwater.
- f) Existing sewer lines shall not lay within fifty (50) feet of a wellhead or upon installation of new sanitary systems and sewer lines shall not lay within one hundred and fifty (150) feet of a wellhead.
- g) Existing septic tanks or drain fields shall not lay within one hundred

(100) feet of a wellhead and new installation of septic tanks or drain fields shall not fall within two hundred (200) feet of a wellhead public water system.

- h) Junk or salvage yards
- i) Disposal of waste oil, oil filters, tires and all other petroleum products.
- j) Land use activities posing a hazard or threat to existing ground water quality as deemed by the Planning and Zoning Commission and the Board of Idaho County Commissioners during review process of applications.

#### IX.

Restrictions within Zone II of the Wellhead Protection Area The following uses or conditions, including but not limited to, shall be and are prohibited within Zone II of the Wellhead Protection area, whether or not such use or condition may otherwise be ordinarily included as part of a use permitted under Section VI, of this Ordinance:

- a) Sanitary landfills
- b) Hazardous waste Disposal Facility
- c) Land use activities posing a hazard or potential threat to ground water quality as deemed by the Planning and Zoning Commission and the Board of Idaho County Commissioners during review process of applications.

#### X.

Requirements for New Wells Prior to the development of new wells for the purpose of supplying potable water to any public community water system, the proposed well site will be delineated in accordance with Section III, of this Ordinance, using anticipated yields to determine time of travel zones. The delineated areas will then be inventoried for potential contaminant sources and the proposed site evaluated as to potential adverse impact to the well site.

#### XI.

Administration The policies and procedures for administration of any wellhead protection zone established under this Ordinance, including without limitation those applicable to non-conforming uses, exceptions, enforcement and penalties, shall be the same as provided in the existing Land Use and Development Ordinance of the City of Grangeville, Zoning Ordinance, Title 4, Chapter 4, of the Municipal Code of the City of Grangeville, as the same is presently and enacted from time to time

amended.

XII.

Enforcement It shall be unlawful and a misdemeanor, for any person, corporation or business to occupy or use the land within the area designated in the Wellhead Protection Overlay District of Zone I, II, and III, contrary to, or in violation of, any of the provisions of this Ordinance.

Any person, corporation or business violating any of the provisions of this ordinance shall be handled as any other Planning and Zoning violation as provided for in Chapter 4, Title 4, of the Municipal Code of the City of Grangeville, and being the Zoning Ordinance. This may include civil and/or criminal penalties, herein described.

Any portion of this ordinance which affects lands exclusively within Idaho County and is not otherwise included in the Area of City Impact, or the City itself, shall not be subject to the enforcement provision of this section.

XIII.

Amendments:

- a) Amendments to this chapter will only be allowed once a year if needed.
- b) Amendments to the Wellhead Protection Overlay District Legal Descriptions will be allowed anytime as needed with approval from the City and the County as the case may be.

XIV.

Final Approval for any purposed use will be granted by the municipality that the Wellhead overlay zone was established for. If the Wellhead zones were established for a privately owned company then final approval will come from either the County or City depending on where the water company is located (i.e. City or County limits).

XV.

Reserved for later use.

XVI.

Reserved for later use.

XVII.

Reserved for later use.

XVIII.

Wellhead Protection Overlay District Legal Description, (See Exhibit "A", which



is attached hereto and hereby incorporated by this reference.)

a) We have Five Active Wells, they are as follows:

<u>Well#</u>	<u>Name</u>	<u>Pumping Rate</u>	<u>Zone Ia</u>	<u>Zone Ib</u>	<u>Zone II</u>
1	Park	730 GPM	50'	1230'	1676'
2	Spencer	300 GPM	50'	700'	1100'
3	Eimers	200 GPM	50'	550'	950'
4	Cash	175 GPM	50'	513'	913'
5	Myrtle St.	1050 GPM	50'	1545'	2050'

Section 2:: All Ordinances or parts of Ordinances in conflict hereby repealed.

### CITY WELL LOCATIONS

Located by G.P.S. on 14 February, 1996  
Located by: Yvonne Pettit working with Idaho D.E.Q.

Locations are within 100 meters

Well #	Well Name	Latitude	Longitude	D.E.Q. Tag #
1	Park Well	45°55' 53.52"	116 07' 13.11"	EO005486
2	Spencer Well	45°54' 37.85"	116 07' 18.00"	EO005489
3	Elmers Well	45°55' 54.36"	116 08' 14.55"	EO005485
4	Cash Well	45°55' 30.77"	116 06' 45.08"	EO005488
5	Myrtle Street Well	45°55' 38.84"	116 06' 39.66"	EO005487

Items to be added to section XIX of proposed City WellHead Ordinance.

a) We have \_\_\_\_\_ wells, they are as follows.  
(Five Active)

Well #	Name	Pumping Rate	Zone 1a	Zone 1b	Zone II
				(3 yr. TOT)	(6 yr. TOT)
1	Park	730 GPM	50'	1230'	1676'
2	Spencer	300 GPM	50'	700'	1100'
3	Eimers	200GPM	50'	550'	950'
4	Cash	175 GPM	50'	513'	913'
5	Myrtle St.	1050 GPM	50'	1545'	2050'

Wellhead protection overlay district legal discription is as follows:

Well #	Location of point of diversion is:
1	NE 1/4 of NE 1/4 of Section 19 Township 30N Range 3E B.M. Idaho
2	SE 1/4 of the NE 1/4 of Section 30 Twp 30 N Range 3E B.M., County of Idaho
3	SW 1/4 of the SW 1/4 of Section 18 Twp 30N Range 3E B.M., County of Idaho
4	This well is located on N 50' of lots 1&2, Block "E" of Hall's Second Addition, City of Grangeville, Idaho, which lies within SE 1/4 of NW 1/4, Section 20, T. 30N R. 3E, B.M. of Idaho County, Idaho.
5	NE 1/4 of SE 1/4 of NW 1/4 Section 20 Township 30N Range 3E B.M. Idaho