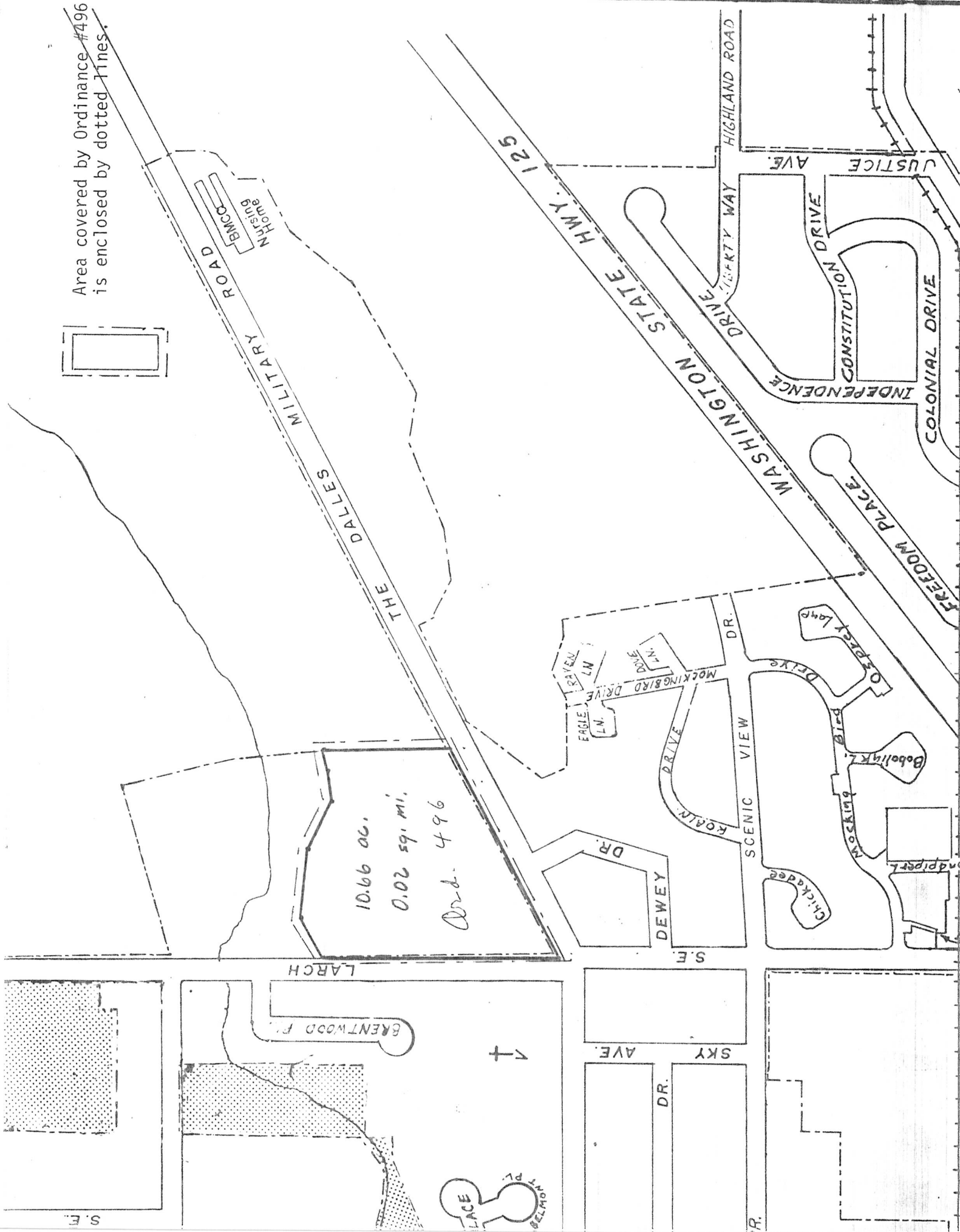


Area covered by Ordinance #496
is enclosed by dotted lines.



ORDINANCE NO. 496

AN ORDINANCE PROVIDING FOR THE ANNEXATION to the City of College Place of certain territory contiguous to said City; and providing for the effective date of this Ordinance.

BE IT ORDAINED by the Council of the City of College Place, Washington:

Section 1: A written Petition having been filed with the City Council of College Place, Washington, on October 12, 1981, signed by the owners of more than 75% in value according to the assessed value for general taxation, of the property described in said Petition, after notice and hearing and the taking of proof as required by law, it appears that said territory hereinafter described is within the County of Walla Walla and contiguous to the City of College Place, Washington, and that it is for the best interests of the City that all of the territory described in said Petition should be annexed and become a part of the City of College Place effective immediately upon the passage of this Ordinance.

Section 2: The firm presently responsible for garbage collection will continue for the next five years after annexation.

Section 3: From and after the effective date of this Ordinance the following described real property situated in the County of Walla Walla, State of Washington, to-wit:

Beginning at a point in the north and south centerline of Section 36 Township 7 North, Range 35 E.W.M., said point being 524.20 feet south, measured along the said centerline, from the center of the said Section 36, and run thence North 61° 58' 00" east 160.00 feet; thence south 86° 49' 00" east 238.00 feet; thence south 66° 32' 00" east 175.00 feet; thence North 86° 03' 00" east 115.00 feet; thence North 68° 24' 00" east 80.00 feet; thence South parallel to the north and south centerline of the aforesaid Section 36, a distance of 482.00 feet to a point in the centerline of the Dalles Military Road; thence following the centerline of the Dalles Military Road, South 64° 06' 15" west 131.34 feet; thence South 62° 41' 30" west 660.38 feet; thence North 89° 47' 00" west 23.56 feet to a point in the north and south centerline of the aforesaid Section 36; thence North, along the said centerline, 812.58 feet to the point of beginning. Excepting therefrom, however, that portion lying within the right-of-way of the Dalles Military Road, and that portion lying within the right-of-way of Larch Avenue.
Subject to easements and servitudes of record.

Shall be, and is hereby annexed to and becomes a part of the incorporated limit of the City of College Place.

Section 4: The proper hearing has been had pertaining to fixing the liability, if any, of the area herein before described to pay for prior obligations of the City of College Place. That pursuant to said hearing and the conclusions reached therein, it is ordered and directed that the tract of land hereinbefore described and annexed to the City of College Place shall not be required to pay any prior indebtedness of the City of College Place.

Section 5: This Ordinance shall be of full force and effect immediately upon its adoption and posting as required by law.

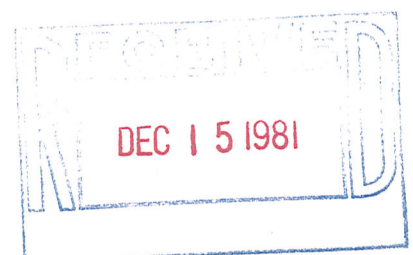
PASSED by the Council this 23rd day of November, 1981.

APPROVED this 23rd day of November, 1981.

George A. Tarnall
Mayor

Francis D. Henderson
Clerk-Treasurer

COPY.....
FILE.....
ACTION.....



Ord # 159

January 20, 1980
201 Newell Ave.
Walla Walla, WA 99301

Walla Walla County Commissioners
Courthouse
Walla Walla, WA 99362

Dear Gentlemen,

Enclosed is a letter from Dr. Robert Carson, Assistant Professor of Geology at Whitman College concerning the report written by Mr. Randy Brown concerning the geology of the Burbank area and the request for Arlenes Addition for a variance.

At your hearing on December 3, 1979 I attempted to read the letter into the record. At that time I was allowed to read only part of the analysis by Dr. Carson. I was however asked by Mr. Kelly to submit Dr. Carson's report to you.

I have had the report typed so that you can read it more easily. I feel that the information contained casts a great deal of doubt on the accuracy of the statements you relied upon to justify your decision to tentatively authorize a variance to the septic tank ordinance. I understand that you have not yet taken final action on the variance request.

Sincerely Yours,


Doug Morton

cc: County Health Dept.
County Planning Dept.
County Auditor

Comments by R. J. Carson, Geologist,* on:

"The Geological and Hydrological Conditions at Arlene's Addition, Burbank Heights" by R. E. Brown (17 Oct. 1979)

Brown: "Arlene's Addition is underlain by sandy gravels of the Pasco gravels phase of the Hanford Formation to and below the water table."

Carson: Sandy gravels are generally highly permeable. The water table is the top of the shallow aquifer, already known to have nitrate pollution. More septic tanks will allow more effluents to reach the shallow aquifer.

Brown: "...vertical permeabilities are never higher than, and may be as low as 1/100 the lateral permeability."

Carson: In other words, vertical permeabilities may be as high as lateral permeability. Such a case is most likely where there are coarse-grained sediments, such as the sandy gravels of the Pasco gravels. Only where there is an alternation of fine-grained (clayey/silty) sediments (low permeability) with coarse-grained (sandy/gravelly) sediments (high permeability) will lateral permeability greatly exceed vertical permeability. In Figure 2, Mr. Brown states that the detail of the Pasco gravels is "not determinable from well logs."

Brown: "A complete analysis of the ground water flow system is however desired before unqualified statements can be made. ...Nitrate is considerably more mobile than most other ions in solution..."

Carson: Therefore, let us not risk further pollution of the shallow aquifer, which supplies some high-yield wells.

Brown: "The data however are inconclusive at best. An at least limited research effort is necessary to better identify the source and magnitude of the problem."

Carson: The shallow aquifer has nitrate pollution from agriculture and/or septic tanks. The fact that it is polluted suggests that pollutants move vertically from fields and drainfields down to the water table.

*Experience attached

Comments by R. J. Carson, Geologist,* on:

"Request for Variance from Amendment to Ordinance #109
to the Walla Walla County Board of Health (24 Oct. 1979)

Request: "...the aquifer underlying Arlene's Nos. 2 and 3 is not
a shallow aquifer, but a rather deep one..."

Carson: I suspect there are two aquifers there, a shallow
unconfined aquifer believed to have nitrate pollution,
and a deep aquifer.

Request: "any permeability of water or other contaminants would
be lateral and not vertical"

Carson: This statement is virtually impossible and clearly
ridiculous, and is not stated in Mr. Brown's report.
Almost all sediments have some vertical permeability.
The shallow aquifer's nitrate pollution is probably from
man's activities near and at the earth's surface.

Request: "...proper installation and operation of septic tanks
in Arlene's Addition poses no realistic problem in regard
to nitrate contamination."

Carson: Although more septic tank effluent may not pollute the
deep basalt aquifer, it will probably increase the nitrate
levels in the shallow aquifer in the Pasco gravels.

Experience attached

Robert J. Carson

Resumé

September, 1979

Born: 23 December 1941, Lexington, Virginia

Degrees: A.B. Cornell Univ., Ithaca, NY, 1963 (Major: geology;
Minor: chemistry)
M.S. Tulane University, New Orleans, LA, 1967
(stratigraphy and paleontology)
Ph.D. Univ. of Washington, Seattle, WA, 1970 (geomorphology,
Quaternary geology, photogeology)

Employment:

1978 to present: Chairman and Associate Professor,
Whitman College Department of Geology, Walla Walla, WA
1972 to present: Geologist, Division of Geology and Earth
Resources, Department of Natural Resources, Olympia, WA
1975 to 1978: Chairman and Assistant Professor, Whitman
College Department of Geology, Walla Walla, WA
1975 (winter and spring terms): Visiting Associate Pro-
fessor of Geology, Department of Geology, Univ. of Oregon,
Eugene, OR
1974 (fall semester): Associate Professor of Geology,
Department of Geosciences, North Carolina State Univ.,
Raleigh, NC
1970 to 1974: Assistant Professor of Geology, Department
of Geosciences, North Carolina State Univ., Raleigh, NC
1971: Assistant Professor of Geology, National Science
Foundation Summer Institute for Earth Science Teachers,
North Carolina State Univ., Raleigh, NC
1969 to 1970: Geologist, Department of Ecology, State of
Washington, Olympia, WA
1967 to 1970: Teaching Assistant and Predoctoral Teaching
Associate, Department of Geological Sciences, Univ. of
Washington, Seattle, WA
1963-1967: Petroleum Geologist, Texaco, Inc., New Orleans, LA

Professional Organizations:

International Glaciological Society
Geological Society of America
American Quaternary Association
American Association for the Advancement of Science
Northwest Scientific Association (Board of Directors,
elected 1978)
Oregon Academy of Science
Sigma Xi
Society of Economic Paleontologists and Mineralogists

January 24, 1980

WALLA WALLA COUNTY BOARD OF HEALTH
WALLA WALLA COUNTY
Walla Walla, Washington 99362

0-8
#109

RE: Request for Variance from Amendment to Ordinance #109 to the Walla Walla County Board of Health:

Following are facts pertinent to granting a Variance allowing septic tanks on Lots 1 and 9 of Block 1 and on Lots 8, 9, 10, 11, and 12 of Block 3 WESTBOURNE ACRES SUBDIVISION.

Westbourne Acres Subdivision is 2 to 3 miles from the problem high nitrate area. The Westbourne water table is 70 feet below the surface.

Westbourne includes 36 lots on 45 acres. There are eleven other homes on about 560 acres surrounding Westbourne Acres. Including 36 in Westbourne, a total of 47 septic tanks on 600 acres equals over 12 acres per septic tank. Four remaining lots are 1 acre each. Three are 1.5, 1.5, and 2.3 acres.

Westbourne is served by two wells in different aquifers. The 325 foot well in the aquifer below layers of basalt showed a 0.1 N mg/ml according to U.S. Testing Company from a sample taken after extensive pumping during testing of the well. Public Health Services found less than detectible (< 2 mg/l) NO_3 as N in a sample collected 6-27-79. That well is presently used as the primary supply because users prefer the soft water. The 100 foot well will be used more during irrigation season along with the 325 foot well, resulting in more mixing with the approximately 5 ppm nitrates in the 100 ft. well.

The above provides a basis for determining that Westbourne acres has negligible potential for endangering either its own water supply of the aquifer in the area from a health standpoint.

After the first moratorium on septic tank permits, at a meeting of the Commissioners, County Health Officer, County Attorney, Planner, myself and others, I was assured that septic tank permits would be issued for Westbourne Acres since the plat was complete. Thus I did not urge my builders to apply for permits until needed. Now 7 lots remain with roads completed per County specifications and a water system designed to be economically feasible for 36 lots, some of which will not be useable if 5 acres are required for a septic tank.

Covenants have been prepared to require future owners of the seven lots to connect to a sewer system when such system is available and required by governmental agencies. The original covenants provide for 10 foot easements for utilities along the border of all lots.

Respectfully,

H.G. Hicks
H.G. HICKS

2611 So. Fruitland
Kennewick, Wa. 99336

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

In the matter of Final
Approval Variance of
Ordinance No. 109-West-
bourne Acres Subdivision

Ord. # 109

RESOLUTION NO. 80 061

BE IT RESOLVED that the Variance to Ordinance No. 109 be
granted to Westbourne Acres Subdivision, Lots 1 & 9, Block 1, Lots 8,9,
10,11,12, Block 2.

(Copy attached for Official Record)

Done this 4th day of February, 19 80

Approved: [Signature]

County Health Officer

Attest: [Signature]
County Auditor and ex officio Clerk of the Board.

[Signature] Chairman
[Signature] Commissioner
[Signature] Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington.

Freise, Lohrmann & Makus

Lawyers



(3)
(2)

Eggens

200 Jones Building
Post Office Box 946
Walla Walla
Washington 99362
(509) 529-0630

Herbert H. Freise
John W. Lohrmann
Jerry M. Makus

October 10, 1979

Board of County Commissioners
Walla Walla County Courthouse
Walla Walla, WA 99362

RE: PROTEST OF PAYMENT OF 1979 PROPERTY TAXES
PROTEST CONCERNING AMENDED ORDINANCE #109

Dear Members of the County Board of Commissioners,

Mrs. Agnes Brickey is a client of our firm, and she has asked us to address this letter to you on her behalf. The heart of her concern centers around your issuance of an amendment to ordinance #109, requiring a minimum of five acres for the issuance of a septic permit on several lots which she owns in the Sun Harbor area. Mrs. Brickey, and her husband, Lee J. Brickey, Sr., recently deceased, purchased various properties in the area many years ago for investment purposes. The effect of your amended resolution is to render as virtually unsaleable her holdings in Sun Harbor Estates.

During the last week of September, as part of our efforts to settle the estate of Lee Brickey, Sr., we made payments on behalf of Mrs. Brickey for property taxes that were due on her lots. She has asked us to approach you with a protest of that payment, in light of your action concerning Resolution 109. I trust that this letter on her behalf will suffice to bring that protest to your attention.

As I am sure you are aware, there are many people who were similarly affected by your passage of the amendment to Ordinance 109, and in various ways they are taking steps to approach you with requests for relief. Although Mrs. Brickey will cooperate with these people in their endeavors, she has also asked us to approach you individually and request that you reconsider the Ordinance, and take whatever steps are necessary to rescind it.

In 1962, the area in which Mrs. Brickey's lots lie was approved as a subdivision, and platted for such development.

Board of Commissioners
Page 2

In the event that you are not willing to take as broad a measure as rescinding the entire Ordinance, she would request that you provide an exemption for the area which was approved for development as a subdivision. The anticipation on the part of the Brickey's that the approved subdivision would provide them with a market for their investment in the lots was a major concern to them. A move on your part to provide an exemption for the platted subdivision area would not run against the policy behind your passage of the amendment to Ordinance 109, and would certainly provide fair relief to Mrs. Brickey and other persons similarly situated. Should you be willing to pursue this matter further, please get in touch with me and I would be most willing to address your Board, either by letter or by appearance before you at one of your meetings with more details concerning such an exemption.

Looking forward to your cooperation in this matter and providing relief to Mrs. Brickey, I remain

Very truly yours,
FREISE, LOHRMANN & MAKUS



John P. Junke
Legal Intern

JPJ/dkv

cc: Mrs. Agnes Brickey

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

7906490

An Amendment to
Minimum Lot Size Section of Walla
Walla County Ordinance No. 109

AMENDMENT to County Ordinance No. 109

WHEREAS, Water samples taken by the Walla Walla County-City Health Department from public water supplies located in Western Walla Walla County have shown some high nitrate levels in the shallow aquifer with some tests showing nitrate drinking water concentration above the maximum federal and state limits of the (10) parts per million as nitrogen; and

WHEREAS, Officials from state and federal agencies responsible for programs and enforcement of the Federal Clean Drinking Water Act have expressed concern regarding the high nitrate concentrations in public water supplies in Western Walla Walla County; and

WHEREAS, Drinking water containing high nitrate levels may cause methemoglobinemia in infants below six months of age and thus may constitute a health hazard; and

WHEREAS, The experience of the Walla Walla County-City Health Department, together with studies conducted in Walla Walla County and elsewhere in Washington State have shown a strong relationship between increased urbanization and high nitrates, particularly when septic tanks and drainfields are used in certain soil types such as those found in Western Walla Walla County; and

WHEREAS, The Board of County Commissioners has designated Western Walla Walla County as a Critical Water Supply Service Area whose shallow aquifer should be protected from further degradation; and

WHEREAS, The Board of County Commissioners acting as the Board of Health recognize that the continued development of the area under the present septic tank standards will only compound the nitrate problem; and

WHEREAS, the Board of County Commissioners acting as the Board of Health have studied all available information and held a public hearing and listened to experts on both sides of the issue; and

WHEREAS, Even though the Board of County Commissioners recognize that there are other sources of nitrates such as agricultural chemicals and urban run-off, they can only directly control nitrate contributions to the unconfined aquifer by their ordinance powers to regulate septic tank densities as the Board of Health

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

An Amendment to
Minimum Lot Size Section of Walla
Walla County Ordinance No. 109
(Page Two)

AMENDMENT to County Ordinance No. 109

WHEREAS, The Board of County Commissioners has listened to expert testimony, studied all available information and technical reports, have determined that a minimum parcel size of five acres in the Critical Water Supply Service Area as the minimum septic tank density necessary to avoid dangerous nitrate concentrations.

THEREFORE be it resolved that the Walla Walla County Board of Health does ordain that a new item shall be added under the section labeled minimum lot sizes and shall read as follows:

The minimum lot or parcel size required for the issuance of a septic tank permit in the area of Walla Walla County described below shall be five (5) acres. This shall not apply for the issuance of permits for replacement of on-site sewage disposal systems:

Beginning at a point at the mouth of the Snake River where the centerline of the Snake and Columbia Rivers intersect, thence up the main channel of said Snake River along the common boundary between Franklin County and Walla Walla County to the point where said centerline of the Snake River intersects with the Township line which forms the boundary between Township 9 North and Township 10 North, thence eastward along said line between Township 9 North and Township 10 North to where said Township line intersects the range line which forms the boundary between Range 32 East of the Willamette Meridian and Range 33 East of the Willamette Meridian, said point being the Northeast corner of Township 9 North Range 32 East of the Willamette Meridian, thence South on said Range line to the Southeast corner of said Township 9 North, Range 32 East of the Willamette Meridian, thence West along the Township line forming the common boundary between Township 9 North and Township 8 North to the Southwest corner of said Township 9 North, Range 32 East of the Willamette Meridian, thence South along the Range line which forms the common boundary between Range 32 EWM and Range 31 EWM thence to the Southeast corner of Township 7 North, Range 31 EWM, thence west along the Township line which forms the common boundary between Township 7 North and Township 6 North to the intersection of said Township line with the centerline of the Columbia River, thence up the main channel of the Columbia River along the common boundary between Benton County and Walla Walla County to the point of beginning.
(As shown on attached Exhibit "A".)

Kelly and Cline voted Yes. Johnson voted No.

Done this 10th day of July, 1979

Attest: Chym Smith
County Auditor and ex officio Clerk of the Board.

Franklin F. Cline
Chairman
Eugene W. Kelly
Commissioner
Harmon Johnson
Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington.



BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

In the matter of Final
Declaration of Non Significance
Burbank/Wallula vicinity

RESOLUTION NO. 79 276

BE IT RESOLVED by the Board that an Amendment to Ordinance #109, requiring a minimum lot size of 5 acres for the installation of septic tanks in Burbank/Wallula vicinity (as per attached legal description) , and

BE IT FURTHER RESOLVED that this proposal has been determined to not have significant adverse impact upon the environment. An EIS is not required under RCW re.21C.030(2)(c). This decision was made after review by the lead agency of a completed environmental checklist and other information on file with the lead agency.

Cline and Kelly voted Yes. Johnson voted No.

Done this 10th day of July, 19 79.

Attest: Clyde Smith
County Auditor and ex officio Clerk of the Board.

Franklin S. Cline Chairman
Eugene Kelly Commissioner
Harmon T. Johnson Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington.

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

In the matter of a
moratorium on septic
tank permits in the
critical water supply
service area of Western
Walla Walla County

RESOLUTION NO. 79 227

WHEREAS, the Walla Walla County Commissioners have set a hearing date to amend Ordinance No. 109 to set the minimum lot size of 5 acres for a septic tank,

BE IT RESOLVED that the Board of Health of Walla Walla County declare a moratorium effective May 29, 1979 on the issuance of septic tank permits in the critical water supply service area of Western Walla Walla County, until such time as final action is taken on amendment to Ordinance No. 109, hearing to be June 19th. 1979.

Done this 29th day of May, 1979

Attest:

Chynn Smith
County Auditor and ex officio Clerk of the Board.

Franklin F. Blair
Chairman
Eugene V. Kelly
Commissioner
Harmon A. Johnson
Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington.

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF FUTURE STUDY
OF GROUND WATER CONTAMINATION
IN WESTERN WALLA WALLA COUNTY

RESOLUTION NO.

79 277

WHEREAS, the Health Officer has recommended to the County Board of Health that further installation of septic tanks in Western Walla Walla County constitutes a potential health hazard, and

WHEREAS, the Board of County Commissioners have passed an amendment to Ordinance No. 109 limiting the future installation of septic tanks to lots of 5 acres or greater, and

WHEREAS, at a public hearing held on June 19, 1979, the Washington State Department of Social and Health Services and the Washington State Department of Ecology have recommended that, in addition to immediate limitations on new sources of contaminates, that additional study and investigation is necessary to quantify the problem and identify the most practical solutions, and

WHEREAS, this area of Western Walla Walla County has been designated a Critical Water Service Supply Area pursuant to the provisions of the Revised Code of Washington, Section 70.116, and have initiated a planning process to cope with water quality problems as well as problems of coordination between systems, therefore

BE IT RESOLVED, that the Board of County Commissioners of Walla Walla County will take the following action to insure that additional investigation of the problem of ground water contamination continues:

1. The County of Walla Walla, through the County Health Department, and with the cooperation of the Department of Social and Health Services will continue a program of regular monitoring of existing wells to establish a data base for evaluating the problem of ground water contamination over a longer time period.
2. The County of Walla Walla will apply for water supply funding from the Department of Social and Health Services to include a study of water quality problems to properly quantify the problem and identify the most practical

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF FUTURE STUDY
OF GROUND WATER CONTAMINATION
IN WESTERN WALLA WALLA COUNTY
(PAGE 2)

RESOLUTION NO.

2. (continued)

solutions, as part of the Regional Water Plan being prepared for the area designated as a Critical Water Service Supply Area under the Public Water System Coordination Act.

3. The County of Walla Walla will make immediate application to the Washington State Department of Ecology, the Environmental Protection Agency, and the U.S. Geologic Service for technical and financial assistance to conduct a comprehensive ground water impact study of the area.

Done this 16 day of July, 19 79

Attest:

Chynn Smith
County Auditor and ex officio Clerk of the Board.

Franklin L. Gline
Chairman

Ernest W. Kelly
Commissioner

W. C. Johnson
Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington.

8107499

FILED FOR RECORD
IN WALLA WALLA CO. WASH.
BY *C. Auditor*

OCT 6 10 57 AM '81

ORDINANCE NO. 109
AMENDMENT NO. 3

C. LYNN SMITH
AUDITOR

AN ORDINANCE AMENDING ORDINANCE NO. 109, SECTION 1 TO INCREASE PERMIT FEES.

THE BOARD OF COUNTY COMMISSIONERS ACTING AS THE WALLA WALLA COUNTY BOARD OF HEALTH DOES HEREBY ORDAIN THAT:

SECTION I

That portion of Section 1 of Ordinance No. 109, as amended by Amendment 1 to County Ordinance No. 109, now providing as follows:

"WAC 248-96-080 PERMIT

All items shall be included and Item H shall be added;

- (a) Item H. The fee shall be Twenty Five Dollars and shall accompany the application."

is hereby amended to provide as follows:

"WAC 248-96-080 PERMIT

All items shall be included and Item H shall be added:

- (a) Item H. The fee shall be Fifty Dollars and shall accompany the application."

PASSED by the Board of Walla Walla County Commissioners this 6 day of October, 1981.



Harmon I. Johnson
Chairman
Franklin F. Blinn
Commissioner
Walter C. Coyle
Commissioner

ATTEST:

Clynn Smith
Clerk of Board

8107499

ORDINANCE NO. 109

AMENDMENT NO. 3

AN ORDINANCE AMENDING ORDINANCE NO. 109, SECTION 1 TO INCREASE PERMIT FEES.

THE BOARD OF COUNTY COMMISSIONERS ACTING AS THE WALLA WALLA COUNTY BOARD OF HEALTH DOES HEREBY ORDAIN THAT:

SECTION I

That portion of Section 1 of Ordinance No. 109, as amended by Amendment 1 to County Ordinance No. 109, now providing as follows:

"WAC 248-96-080 PERMIT

All items shall be included and Item H shall be added:

- (a) Item H. The fee shall be Twenty Five Dollars and shall accompany the application."

is hereby amended to provide as follows:

"WAC 248-96-080 PERMIT

All items shall be included and Item H shall be added:

- (a) Item H. The fee shall be Fifty Dollars and shall accompany the application."

PASSED by the Board of Walla Walla County Commissioners this 6 day of October, 1981.

Harmon J. Johnson
Chairman

Franklin F. Blaine
Commissioner

Walter C. Coyle
Commissioner

ATTEST:

Clynn Smith
Clerk of Board

NOTICE OF HEARING
NOTICE IS HEREBY GIVEN
that the Board of County Com-
missioners will hold a public
hearing at 10:00 A.M., Tuesday,
October 6th, 1981 in the office of
the Board at the County Cour-
thouse in Walla Walla on the
following proposed Ordinance
Amendment:

ORDINANCE NO. 109
PROPOSED AMENDMENT NO.

3 AN ORDINANCE AMENDING
ORDINANCE NO. 109, SECTION
I TO INCREASE PERMIT
FEES.

THE BOARD OF COUNTY
COMMISSIONERS ACTING AS
THE WALLA WALLA COUNTY
BOARD OF HEALTH DOES
HEREBY ORDAIN THAT:

SECTION 1. That portion of
Section 1 of Ordinance No. 109, as
amended by Amendment 1 to
County Ordinance No. 109, now
providing as follows:

"WAC 248-96-080 PERMIT - All
items included and Item H shall
be added: (a) Item H. The fee
shall be Twenty Five Dollars and
shall accompany the ap-
plication." is hereby amended to
provide as follows:

"WAC 248-96-080 PERMIT - All
items shall be included and Item
H shall be added: (a) Item H.
The fee shall be Fifty Dollars
and shall accompany the ap-
plication."

Dated at Walla Walla,
Washington September 15, 1981.

C. Lynn Smith
Clerk of the Board of County
Commissioners

The Times
September 24, 1981

Proof of Publication

Case No. _____

STATE OF WASHINGTON,
County of Walla Walla

} ss.

Thomas C. Baker, being first duly sworn on oath,
deposes and says: That he is the Publisher of The Times, a weekly newspaper
which has been established, published in the English language, and circulated
continuously as a weekly newspaper in the City of Waitsburg, and in said County
and State, and of general circulation in said County for more than six (6) months
prior to the date of the first publication of the Notice hereto attached.

That said newspaper is the official newspaper of the City of Waitsburg and of the
County of Walla Walla.

That The Times was, on the 14th day of June, 1955, approved as a legal newspaper
by the Superior Court of said Walla Walla County, and that the annexed is a true
copy of a

Notice of Hearing

as it appeared in the regular and entire issue of said newspaper itself and not in a
supplement thereof for a period of one consecutive weeks, commencing
on the 24 day of September, 19 81 and ending on the
_____ day of _____, 19 _____ and that said newspaper
was regularly distributed to its subscribers during all of this period.

That the full amount of \$ 15.97 has been paid in full, at the rate of
\$ 2.38 per column inch.

Anita B. Baker c, Publisher

Subscribed and sworn to before me this

24 day of September, 19 81

Bettie L. Chase

Notary Public in and for the State of Washington,
Residing at Waitsburg, Washington 99361

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

An Amendment to
Minimum Lot Size Section of Walla
Walla County Ordinance No. 109

AMENDMENT to County Ordinance No. 109

WHEREAS, Water samples taken by the Walla Walla County-City Health Department from public water supplies located in Western Walla Walla County have shown some high nitrate levels in the shallow aquifer with some tests showing nitrate drinking water concentration above the maximum federal and state limits of the (10) parts per million as nitrogen; and

WHEREAS, Officials from state and federal agencies responsible for programs and enforcement of the Federal Clean Drinking Water Act have expressed concern regarding the high nitrate concentrations in public water supplies in Western Walla Walla County; and

WHEREAS, Drinking water containing high nitrate levels may cause methemoglobinemia in infants below six months of age and thus may constitute a health hazard; and

WHEREAS, The experience of the Walla Walla County-City Health Department, together with studies conducted in Walla Walla County and elsewhere in Washington State have shown a strong relationship between increased urbanization and high nitrates, particularly when septic tanks and drainfields are used in certain soil types such as those found in Western Walla Walla County; and

WHEREAS, The Board of County Commissioners has designated Western Walla Walla County as a Critical Water Supply Service Area whose shallow aquifer should be protected from further degradation; and

WHEREAS, The Board of County Commissioners acting as the Board of Health recognize that the continued development of the area under the present septic tank standards will only compound the nitrate problem; and

WHEREAS, the Board of County Commissioners acting as the Board of Health have studied all available information and held a public hearing and listened to experts on both sides of the issue; and

WHEREAS, Even though the Board of County Commissioners recognize that there are other sources of nitrates such as agricultural chemicals and urban run-off, they can only directly control nitrate contributions to the unconfined aquifer by their ordinance powers to regulate septic tank densities as the Board of Health

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

An Amendment to
Minimum Lot Size Section of Walla
Walla County Ordinance No. 109
(Page Two)

AMENDMENT to County Ordinance No. 109

WHEREAS, The Board of County Commissioners has listened to expert testimony, studied all available information and technical reports, have determined that a minimum parcel size of five acres in the Critical Water Supply Service Area as the minimum septic tank density necessary to avoid dangerous nitrate concentrations.

THEREFORE be it resolved that the Walla Walla County Board of Health does ordain that a new item shall be added under the section labeled minimum lot sizes and shall read as follows:

The minimum lot or parcel size required for the issuance of a septic tank permit in the area of Walla Walla County described below shall be five (5) acres. This shall not apply for the issuance of permits for replacement of on-site sewage disposal systems:

Beginning at a point at the mouth of the Snake River where the centerline of the Snake and Columbia Rivers intersect, thence up the main channel of said Snake River along the common boundary between Franklin County and Walla Walla County to the point where said centerline of the Snake River intersects with the Township line which forms the boundary between Township 9 North and Township 10 North, thence eastward along said line between Township 9 North and Township 10 North to where said Township line intersects the range line which forms the boundary between Range 32 East of the Willamette Meridian and Range 33 East of the Willamette Meridian, said point being the Northeast corner of Township 9 North Range 32 East of the Willamette Meridian, thence South on said Range line to the Southeast corner of said Township 9 North, Range 32 East of the Willamette Meridian, thence West along the Township line forming the common boundary between Township 9 North and Township 8 North to the Southwest corner of said Township 9 North, Range 32 East of the Willamette Meridian, thence South along the Range line which forms the common boundary between Range 32 EWM and Range 31 EWM thence to the Southeast corner of Township 7 North, Range 31 EWM, thence west along the Township line which forms the common boundary between Township 7 North and Township 6 North to the intersection of said Township line with the centerline of the Columbia River, thence up the main channel of the Columbia River along the common boundary between Benton County and Walla Walla County to the point of beginning. (As shown on attached Exhibit "A".)

Kelly and Cline voted Yes. Johnson voted No.

Done this 10th day of July, 1979

Attest: C. Lynn Smith
County Auditor and ex officio Clerk of the Board.

Franklin F. Cline
Chairman

Eugene V. Kelly
Commissioner

Harmon Johnson
Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington.



MAP OF EXTERNAL BOUNDARY OF THE
CRITICAL WATER SERVICE SUPPLY AREA,
WESTERN WALLA WALLA COUNTY, WASHINGTON



Quincy Soils

FILED FOR RECORD
IN WALLA WALLA CO. WASH.
BY *C. Lynn Smith*

JUL 11 4 20 PM '79

C. LYNN SMITH
AUDITOR

FRANKLIN

BOUNDARY
UNCONFINED
AQUIFER

BOUNDARY
UNCONFINED
AQUIFER

EXTERNAL BOUNDARY CRITICAL WATER SUPPLY SERVICE AREA

ENTON COUNTY

McNARY LAKE

Proof of Publication

Case No. _____

STATE OF WASHINGTON, } ss.
County of Walla Walla

Thomas L. Baker, being first duly sworn on oath, deposes and says: That he is the Publisher of The Times, a weekly newspaper which has been established, published in the English language, and circulated continuously as a weekly newspaper in the City of Waitsburg, and in said County and State, and of general circulation in said County for more than six (6) months prior to the date of the first publication of the Notice hereto attached.

That said newspaper is the official newspaper of the City of Waitsburg and of the County of Walla Walla.

That The Times was on the 14th day of June, 1955, approved as a legal newspaper by the Superior Court of said Walla Walla County and that the annexed is a true copy of a

Notice of Hearing

as it appeared in the regular and entire issue of said newspaper itself and not in a supplement thereof for a period one consecutive weeks, Commencing on the 7th day of June, 19 79 and ending on the 7th day of June, 19 79 and that said newspaper was regularly distributed to its subscribers during all of this period.

That the full amount of \$ 34.30 has been paid in full, at the rate of \$1.96 per column inch.

Anita B. Baker Co., Publisher

Subscribed and sworn to before me this

7th day of June, 19 79

Bertie L. Chan

Notary Public in and for the State of Washington,
Residing at Waitsburg, Washington 99361

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Walla Walla Board of County Commissioners will hold a public hearing at 7:30 p.m. in the Commons Room at the Burbank High School on June 19th, 1979 on the following proposed amendment to Ordinance No. 109:

PROPOSED AMENDMENT TO ORDINANCE NO. 109

An Amendment to minimum lot size section of Walla Walla County Ordinance No. 109.

WHEREAS, water samples taken by the Walla Walla County-City Health Dept. from public water supplies located in western Walla Walla County have shown some high nitrate levels in the shallow aquifer with some tests showing nitrate drinking water concentrations above the maximum federal and state limits of the (10) parts per million as nitrogen, and

WHEREAS, drinking water contained high nitrate levels may cause methoemoglobinemia in infants below six months of age and thus may constitute a health hazard, and

WHEREAS, the experience of the Walla Walla County-City Health Dept. together with studies conducted in Walla Walla County and elsewhere in Washington State have shown that as much as 65 percent of the nitrate contamination is attributed to the use of septic tanks and drainfields, and

WHEREAS, the R.C.W. 70.05.060 the Walla Walla County Board of Health has supervision over all matters pertaining to the preservation of the life and health of the people in Walla Walla County and may enact local rules and regulations as are necessary to preserve, promote, and improve public health.

THEREFORE; the Walla Walla County Board of Health does ordain that a new item shall be added under the section labled minimum lot sizes and shall read as follows:

The minimum lot or parcel size required for the issuance of a septic tank permit in the area of Walla Walla County described below shall be five (5) acres. This shall not apply for the issuance of permits for replacement of on-site sewage disposal systems:

Beginning at a point at the mouth of the Snake River where the centerline of the Snake and Columbia Rivers intersect, thence up the main channel of said Snake River along with the common boundary between Franklin County and Walla Walla County to the point where said

Nor boundary between Range 32
Township 7 North and Range 31 EWM and Range 31 EWM thence
of the to the Southeast corner of
the Township 7 North, Range 31
River EWM, thence west along the
boundary Township line which forms the
common boundary between
County Township 7 North and Township 6
to the

The Times
June 7, 1979

**Notary Public in and for the State of Washington,
Residing at Waitsburg, Washington 99361**

publication of the Notice hereto attached.

That said newspaper is the official newspaper of the City of Waitsburg and of the County of Walla Walla.

That The Times was on the 14th day of June, 1955, approved as a legal newspaper by the Superior Court of said Walla Walla County and that the annexed is a true copy of a

Notice of Hearing

as it appeared in the regular and entire issue of said newspaper itself and not in a supplement thereof for a period one consecutive weeks, Commencing on the 1st day of June, 19 79 and ending on the 7th day of June, 19 79 and that said newspaper was regularly distributed to its subscribers during all of this period.

That the full amount of \$ 34.30 has been paid in full, at the rate of \$1.96 per column inch.

Anita B. Baker ^{co.}, Publisher

Subscribed and sworn to before me this

7th day of June, 19 79

Bettie L. Chase

Notary Public in and for the State of Washington,
Residing at Waitsburg, Washington 99361

North to the intersection of said Township line with the centerline of the Columbia River, thence up the main channel of the Columbia River along the common boundary between Benton County and Walla Walla County to the point of beginning.

Dated at Walla Walla, Washington
May 30, 1979
C. Lynn Smith
Clerk of the Board of County Commissioners
The Times
June 7, 1979