



City Hall – Council Chambers
206 N. Main Street
Toledo, Oregon 97391
6:00 p.m.

TOLEDO CITY COUNCIL
Work Session – also via Zoom Meeting Platform
June 28, 2023

Virtual Meeting: The City Council will hold the meeting for the City Council and staff in person as well as through the Zoom video meeting platform. The public is encouraged to attend the meeting electronically. Visit the meetings page on the city website for details including meeting login information.

Public Comments: The City Council may take limited verbal comments during the meeting. Written comments may be submitted by email to lisa.figueroa@cityoftoledo.org 3:00 p.m. the day of the meeting to be included in the record. Comments received will be shared with the City Council and included in the record.

1. **Call to Order, Pledge of Allegiance and roll call**
2. **Proclamations/Presentations**
Presentation – Draft Drinking Water Protection Plan; Water Resources Consultant Suzanne de Szoeki
3. **Visitors/Public Comment**
(The public comment period provides the public with an opportunity to address the City Council regarding items not on the agenda. Please limit your comments to three (3) minutes).
4. **Consent Agenda**
 - There are no items for consideration
5. **Discussion Items**
 - Discussion regarding Street Lighting fee for fiscal 2023-2024
6. **Decision Items**
 - Refer draft Drinking Water Protection Plan to Oregon Health Authority and Department of Environmental Quality for approval
 - Approve Intergovernmental Agreement for contract planning services
 - Outdoor event application – Street closure request (City of Toledo/ART Toledo)
 - Consideration of street closure requests for Summer Festival parades
 - Consideration of a permit to consume alcohol in public places; Elks Lodge
 - Resolution No 1522, A Resolution recognizing Grant Revenue and making appropriations for spending for Fiscal Year 2022-2023
 - Ordinance No. 1411, an ordinance amending the Toledo Municipal Code related to recreational vehicle use as a temporary living quarter

Comments submitted in advance are preferable. Comments may be submitted by e-mail at lisa.figueroa@cityoftoledo.org. The meeting is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting by calling city offices at (541) 336-2247.

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- Ordinance no. 1412, an ordinance regulating camping on public property by adding Chapter 12.28 to the Toledo Municipal Code and declaring an emergency
- Ordinance No. 1413, an ordinance amending the Toledo Municipal Code related to the impoundment of vehicles, offenses against public decency and exclusions from public property

7. Reports and Comments

- Committee updates

8. Adjournment

Comments submitted in advance are preferable. Comments may be submitted by e-mail at lisa.figueroa@cityoftoledo.org. The meeting is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting by calling city offices at (541) 336-2247.

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**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	June 28, 2023	Discussion regarding Street Lighting fee for fiscal 2023-2024
Council Goal:	Agenda Type:	
Not Applicable	Discussion Items	
Prepared by:	Reviewed by:	Approved by:
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Staff is seeking a consensus to prepare a resolution for adoption at the next Council meeting.

Background:

Council may recall a few years ago at the suggestion of the budget committee, the street lighting fee was reduced by \$5 per month and the sewer base charge was increased by the \$5.

Council has voted to reverse that decision and add the \$5 back to the street lighting fee and reduce the sewer base fee.

The current street lighting fee is \$3.75 per month so adding the \$5 back will make it \$8.75. Staff is seeking direction on whether the Council wishes to increase the fee for fiscal 2023-2024. A new resolution will be prepared for the next meeting.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2023-2024	N/A

Attachment:

1. copy of Resolution No. 1501

**CITY OF TOLEDO
RESOLUTION NO. 1501**

A RESOLUTION OF THE TOLEDO CITY COUNCIL SETTING THE STREET LIGHTING UTILITY FEE FOR THE 2022-2023 FISCAL YEAR AND REPEALING RESOLUTION NO 1470

WHEREAS, The Toledo City Council adopted Ordinance No. 1303, which established a Street Lighting Utility Fee; and

WHEREAS, the revenue generated by the Street Lighting Fee for Fiscal Year 2021-2022 was estimated to be \$58,280. The cost of the street lights was about \$140,000; and

WHEREAS, Increasing the Residential Street Lighting Utility Fee by \$.75/month to \$3.75/month would generate an additional (estimated) \$11,000/year in revenue; and

WHEREAS, Ordinance No. 1303 provides that the City Council may adjust the amount of the monthly Street Lighting Utility Fee on or before July 1 of each year by resolution.

NOW, THEREFORE, THE CITY OF TOLEDO RESOLVES AS FOLLOWS:

- Section 1. Resolution No. 1470 is hereby repealed in its entirety.
- Section 2. The City Council adopts a Residential Street Lighting Utility Fee of \$3.75 per month.
- Section 3. The City Council adopts a Commercial Business Street Lighting Utility Fee of \$12.50 per month.
- Section 4. The City Council adopts an Industrial Business Street Lighting Utility Fee of \$25.00 per month.
- Section 5. That this resolution shall be effective on July 1, 2022

That this resolution is hereby adopted by the Toledo City Council this 22nd day of June, 2022.

APPROVED

ATTEST



Mayor Rod Cross



City Recorder Lisa Figueroa

CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION

	Meeting Date:	Agenda Topic:
	June 28, 2023	Refer draft Drinking Water Protection Plan to Oregon Health Authority (OHA) and Department of Environmental Quality (DEQ) for approval
Council Goal:	Agenda Type:	
Maintain and improve public infrastructure and facilities	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to refer the draft Drinking Water Protection Plan to Oregon Health Authority and Department of Environmental Quality for approval.

Background:

The draft Drinking Water Protection Plan (DWPP) is coming back before the Council after public comments have been added. Now would be the time to include any comments or changes from the Council before going to Oregon Health Authority and Department of Environmental Quality for final approval. Suzanne de Szoeko, GIS Systems, consultant for the Plan will be available the first part of the meeting to answer any questions.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2023-2024	N/A

Attachment:

1. att1, Toledo DWPP draft 05-04-2023 redline
2. att2, Toledo DWPP draft 05-04-2023
3. att3 Appendix A public outreach



DRAFT

City of Toledo

Drinking Water Protection Plan

March ~~May~~ April 2023



Prepared by:

GSI Water Solutions, Inc.

1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333

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Appendix A	Public Outreach Material Examples
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Abbreviations and Acronyms

AWWA	American Water Works Association
BLM	Bureau of Land Management
CREP	Conservation Reserve Enhancement Program
DEQ	Department of Environmental Quality
DOGAMI	Department of Geology and Mineral Industries
DWPP	Drinking Water Protection Plan
DWSPF	Drinking Water Source Protection Fund
EMO	Emergency Management Organization
EQIP	Environmental Quality Incentives Program
FA	Functional Annex
FEMA	Federal Emergency Management Agency
FERNS	Forest Activity Electronic Reporting and Notification System
ICS	Incident Command System
NIMS	National Incident Management System
NRCS	Natural Resources Conservation Service
NTU	Nephelometric Turbidity Unit
NWQI	National Water Quality Initiative
OAT	Oregon Agricultural Trust
ODA	Oregon Department of Agriculture
ODF	Oregon Department of Forestry
ODOT	Oregon Department of Transportation
OHA	Oregon Health Authority
OWEB	Oregon Watershed Enhancement Board
PLLW	People for Lincoln Land and Waters
SWA	Source Water Assessment
SWCD	Soil and Water Conservation District
USFS	United States Forest Service
WMCP	Water Management and Conservation Plan

SECTION 1: Introduction

1.1 Background and Goals

Water quality standards are in place to ensure that communities have access to clean and safe drinking water sources. Protecting drinking water sources from potential contaminant sources helps reduce water treatment costs and safeguards public health. The 1996 amendments to the federal Safe Drinking Water Act established new requirements and allocated resources to the Oregon Department of Environmental Quality (DEQ) and Oregon Health Authority (OHA) to provide communities with drinking water protection assistance. In Oregon, local jurisdictions can voluntarily develop Drinking Water Protection Plans (DWPPs) outlining management strategies to protect their water sources. The approval process for these plans is administered by DEQ for surface water and OHA for groundwater sources. This DWPP provides a framework for the City of Toledo (City) to address risks to its drinking water sources while meeting the requirements for state approval.

The primary goal of this DWPP is to protect the City's drinking water sources by identifying current and potential sources of contamination in the source water areas and presenting strategies for eliminating or minimizing those risks. The DWPP includes a detailed implementation plan to carry out the selected strategies and a contingency plan describing actions to be taken if a current water source becomes unavailable.

1.2 City of Toledo Source Water Areas

Established in 1866, the City of Toledo is located on the Yaquina River approximately 7 miles inland from the Pacific Ocean. The City's population was 3,650 according to the 2022 population estimate from Portland State University's Population Research Center. In addition to providing water service within city limits, the City's water system serves 71 residential and 6 commercial connections outside city limits and provides wholesale water to Seal Rock Water District and Wright Creek Water District.

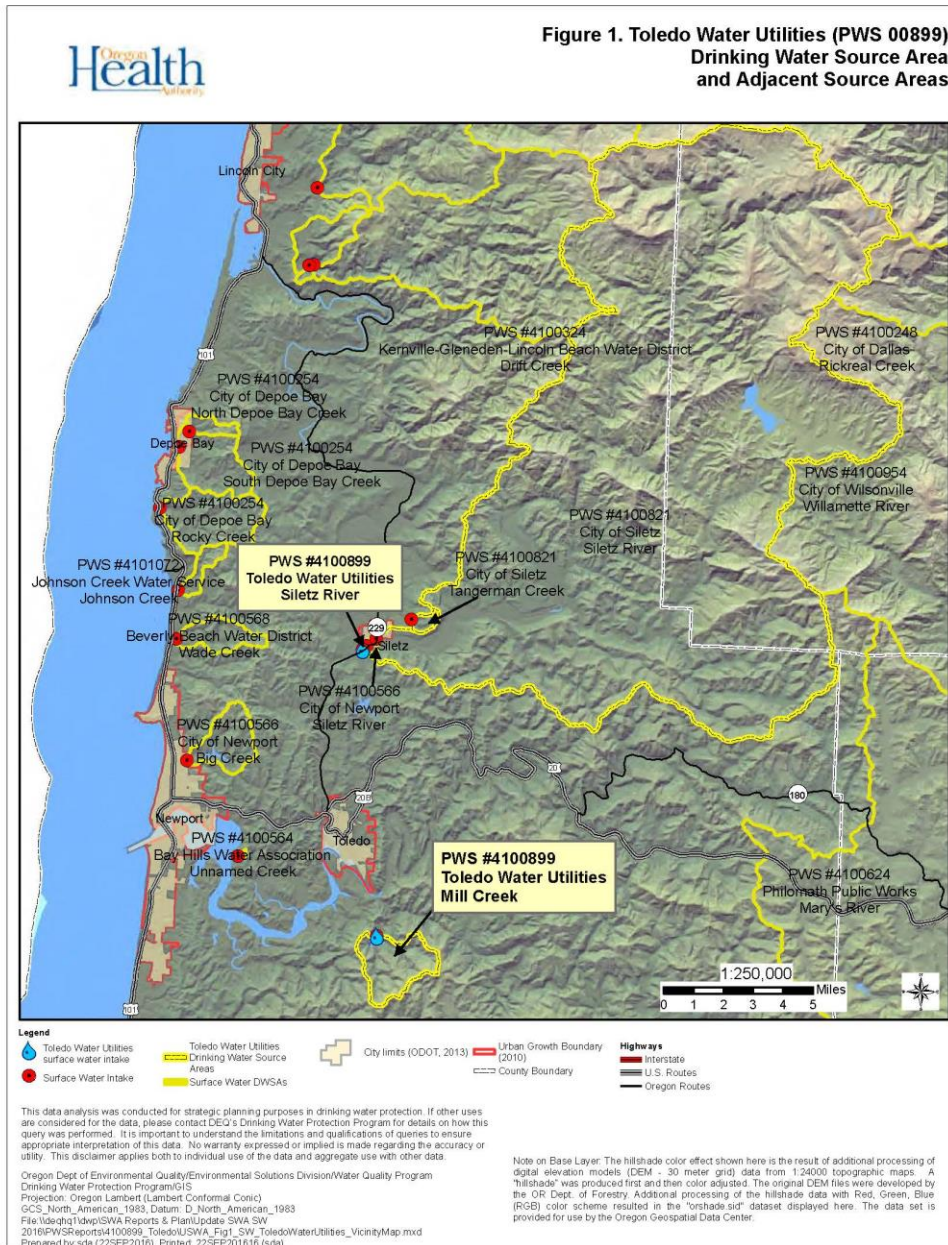
Toledo's water supply sources are the Mill Creek watershed and the Siletz River. Mill Creek is a tributary of the Yaquina River. Water from Mill Creek is primarily used in winter and spring when there is high turbidity in the Siletz River, and water from the Siletz River is used in summer and fall when streamflows in Mill Creek are low and algal blooms often occur in Mill Creek Reservoir. Both the Mill Creek and Siletz River drinking water source areas lie entirely outside of the City of Toledo.

The City's water supply from the Mill Creek watershed includes natural flow from Mill Creek and an unnamed branch of Mill Creek and released stored water from the City-owned Mill Creek Reservoir, all of which are diverted at the Mill Creek Reservoir intake. The drinking water source area within the Mill Creek watershed encompasses 4.15 square miles and is primarily forested. The lower Mill Creek watershed is owned by the City, and the upper watershed includes US Forest Service land and private industrial forestland. The entire watershed is in Lincoln County.

The City's Siletz River intake is located at approximately River Mile 40 near the City of Siletz. The Cities of Newport and Siletz have public water system intakes on the Siletz River upstream of Toledo's intake. The Siletz River drinking water source area is much larger than the Mill Creek watershed, covering about 204 square miles. Approximately 75 percent of the watershed is private industrial forestland, with additional agricultural lands, rural residential development, tribal lands, Bureau of Land Management lands, State Forest, and other state-owned lands. The drinking water source area within the Siletz River watershed is located in Lincoln County and Polk County. Exhibit 1-1 presents a map of the City's drinking water source areas, and Exhibit 1-2 presents a table summarizing key features of the City's water rights. More detailed

information on the City's water rights can be found in the City's 2017 Water Management and Conservation Plan.

Exhibit 1-1. Map of Drinking Water Source Areas



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Exhibit 1-2. Water Rights Held by the City of Toledo

Source	Application	Permit	Certificate	Priority Date	Type of Use	Authorized Rate or Volume	Comments
Mill Creek	S-1197	S-709	905	1/14/1911	Domestic Use	5.0 cfs	
Mill Creek	S-6531	S-4085	9040	5/5/1919	Domestic Supply	10.0 cfs	
Unnamed branch of Mill Creek	S-9958	S-7191	9047	12/22/1924	Municipal	0.75 cfs	
Mill Creek	S-9959	S-7192	9048	12/22/1924	Municipal	0.75 cfs	
Mill Creek	R-33458	R-5132	42193	11/9/1959	Municipal	250.0 AF	
Mill Creek Reservoir	S-33459	S-33124	42194	11/9/1959	Municipal	250.0 AF	
Siletz River	S-16771	S-12553	93488	2/12/1937	Municipal	1.75 cfs	
Siletz River	S-9834	S-9370	93489	10/24/1929	Municipal, including manufacturing and domestic	1.34 cfs	
Siletz River	S-9834	S-9370		10/24/1929	Municipal, including manufacturing and domestic	2.66 cfs	Use of the permit currently limited to 1.65 cfs. ¹
Siletz River	S-58445	S-44083		3/23/1979	Municipal	4.0 cfs	Use of the permit currently limited to 0.0 cfs. ¹

cfs = cubic feet per second

AF = acre-feet

¹ Access to additional water under the permit is granted by the Oregon Water Resources Department in a final order approving the City's Water Management and Conservation Plan.

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1.3 Drinking Water Protection Plan Development

1.3.1 Source Water Assessment

In 2002, DEQ developed a Source Water Assessment (SWA) for the City of Toledo's drinking water source areas to fulfill one of the new requirements of the amended Safe Drinking Water Act. The SWA includes a delineation of the source area supplying the water system, identification of areas that may be more susceptible to contamination, and an inventory of potential contaminant sources. An updated SWA was provided by DEQ in 2016. The updated SWA includes the map of drinking water source areas reprinted above along with maps showing soil erosion potential, areas prone to landslides, local land uses and ownership, and potential anthropogenic sources of pollution. The SWA provided a robust foundation for the risk assessment described further in Section 2.

1.3.2 Plan Development Process

The City of Toledo was awarded a grant from OHA in 2021 to develop a DWPP, and plan development began with a kickoff meeting in January 2022. A team of local stakeholders and technical experts was convened, representing local residents and organizations, the Confederated Tribes of the Siletz Indians, forestry, agriculture, government agencies (local, state, and federal), and conservation groups. DWPP development was facilitated by the City's selected consultant, GSI Water Solutions, Inc. and included multiple opportunities and methods for public engagement. The Toledo City Council reviewed and approved the DWPP on [placeholder date] and submitted the Final Draft DWPP to DEQ and OHA for approval on [placeholder date]. Exhibit 1-3 lists the DWPP Team members and their affiliations.

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Exhibit 1-3. Drinking Water Protection Plan Team Members

Name	Affiliation
Betty Kamikawa	City of Toledo
Judy Richter	City of Toledo
Bill Zuspan	City of Toledo
Tyler Clouse	Lincoln Soil and Water Conservation District
Jeff DeRoss	Hancock
Matthew Fiorito	Weyerhaeuser
Alan Fujishin	Gibson Farms
Mike Broili	MidCoast Watersheds Council
Mike Kennedy	Confederated Tribes of the Siletz Indians
Maria Daugherty	American Aquifers
Clare Paul	City of Newport
Kaety Jacobson	Lincoln County
Debbie Scacco	Port of Toledo
Matt Thomas	Oregon Department of Forestry
Amy Bleekman	Oregon Health Authority
John Spangler	Oregon Department of Fish and Wildlife
Christine Clapp	Oregon Department of Fish and Wildlife
Cheryl Hummon	Oregon Department of Agriculture
Olivia Jasper	Oregon Department of Agriculture
Nikki Hendricks	Oregon Water Resources Department
Jacqueline Fern	Oregon Department of Environmental Quality
Laura Johnson	Oregon Department of Environmental Quality
Douglass Fitting	Bureau of Land Management
Kacey Largent	US Forest Service

1.3.3 Public Outreach and Engagement

Public engagement was an integral part of the process and included in-person and virtual meetings as well as opportunities to provide input on risks and proposed strategies and review draft planning documents. Feedback from the DWPP Team and the community was an important source of local knowledge to verify and refine the inventory of potential contaminant sources and to tailor protection strategies to suit local conditions and preferences. In June 2022, a public meeting was held with in-person and remote options to discuss potential contaminant sources identified in the SWA and by the DWPP Team, to evaluate the priority rankings of those risks by likelihood of occurrence and severity of the threat to drinking water quality, and to solicit local knowledge of any contaminant risks not previously identified. A second public meeting was held in March 2023 focused on the proposed strategies for drinking water source area protection, implementation plans, and the contingency plan for the use of other water sources. Meeting recordings were available online for at least one week after each meeting for those unable to attend. Comments were provided during the meetings and via phone and email. The draft DWPP was made available for public comment, and feedback was incorporated into the final plan. Public meetings were advertised through articles in the City newsletter, on the City's website, messages in water bills, flyers posted around the community, and through DWPP Team communication with stakeholders in the sectors they represented. Appendix A contains examples of public outreach materials.

1.4 Organization of the Plan

The remainder of this plan is organized into the following sections:

- **Section 2:** Risk Assessment
- **Section 3:** Strategies to Address Risks
- **Section 4:** Implementation Plan
- **Section 5:** Contingency Plan
- **Section 6:** Future Water Sources

SECTION 2: Risk Assessment

2.1 Introduction to Risk Assessment

DEQ initially prepared a SWA for the City's public water system, Toledo Water Utilities, in 2002. This SWA included a delineation of the watersheds contributing to the City's drinking water sources, identification of sensitive areas, an inventory of potential contaminant sources, and a susceptibility analysis. Sensitive areas include a 1000-foot buffer around water bodies, areas with high soil erosion potential, highly permeable soils where potential contaminants would infiltrate more rapidly, and areas with high runoff potential where contaminants and sediments could be more easily transported to water bodies. The susceptibility analysis integrated the contaminant inventory with the mapping of sensitive areas to assess the potential for pollution within the watershed to reach the water system intake. DEQ developed an updated SWA for the City in 2016 that includes additional mapping of sensitive areas, an updated potential contaminant source inventory, and a variety of resources for developing programs to support source water protection. Appendix B contains the 2016 updated SWA.

The Toledo DWPP Team used updated SWA as a starting point to evaluate identified sites and land uses listed as potential sources of contamination. The Team then supplemented this list with additional risks identified through their expertise and local knowledge. After identifying a spectrum of potential risks, the Team conducted a prioritization process. First, every risk was assigned two ratings, each on a scale of 1-5, describing the likelihood of occurrence and the consequence or severity of impact if it does occur. Using the prioritization matrix in Exhibit 2-1, risks were classified into high, medium, or low priority. Information sources for the ratings included a DEQ-provided guidance document on water quality impacts from specific contaminant sources as well as the Team's expertise and knowledge of local conditions, such as common agricultural and forestry practices in the area. Next, the City held a public meeting with in-person and virtual options in June 2022 to present the risks identified and prioritized and to expand and refine the risk assessment and prioritization with public input.

Exhibit 2-1. Risk Prioritization Matrix

Likelihood	Consequence				
	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Severe (5)
Almost certain (5)	Medium	Medium	High	High	High
Likely (4)	Low	Medium	Medium	High	High
Possible (3)	Low	Medium	Medium	Medium	High
Unlikely (2)	Low	Low	Medium	Medium	Medium
Very unlikely (1)	Low	Low	Low	Low	Medium

The final risk assessment incorporating DWPP Team expertise and public feedback is shown below. Risks are divided into eight general categories with associated subcategories:

- Biological and Geological Processes
 - Drought and low streamflows
 - Earthquakes
 - Wildfire

- Severe storms
 - Insect and fungal outbreaks
 - Aquatic invasive species
 - Grazing wild animals
 - Highly erodible soils
- Forestry
 - Clearcuts
 - Non-clearcut logging and thinning
 - Chemical applications
 - Prescribed fire
 - Riparian impacts
- Transportation
 - Roads and stream crossings
- Municipal
 - Aging infrastructure
 - Vandalism, sabotage, and cybersecurity concerns
 - Land application of treated wastewater
 - Stormwater
- Agriculture
 - Grazing domestic animals
 - Pesticides and fertilizers
 - Irrigated crops
 - Riparian impacts
- Residential
 - Rural development and property management
 - Septic system
- Industrial
 - Wood and pulp mills
 - Mines and quarries
- Recreation
 - Motorized boats

Sections 2.2 through 2.5 describe the risks identified that are applicable to both of the City's drinking water sources, Mill Creek and the Siletz River. Each risk is presented with its ranked risk level (high, medium, low) followed by its consequence (1-5) and likelihood (1-5), with 1 being the lowest and 5 being the highest likelihood or consequence. Section 2.6 describes additional risks identified solely within the Siletz River watershed. Section 2.7 outlines the process for identifying and addressing new risks that may arise within the source watersheds due to new activities or changes in intensity or spatial patterns of existing activities.

2.2 Biological and Geological Processes

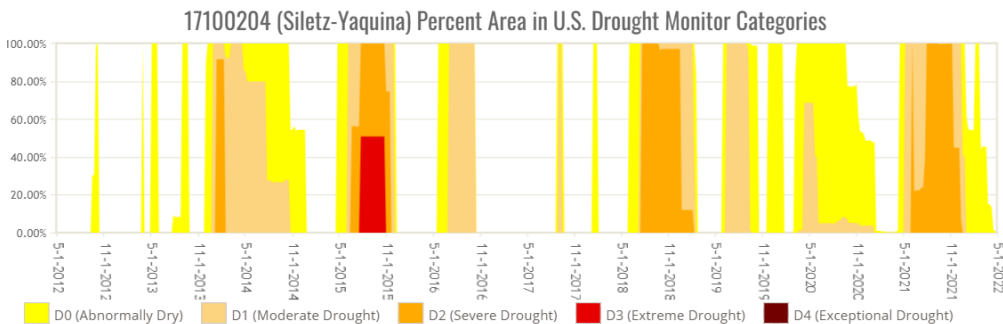
Water quality can be affected by natural and anthropogenic processes and activities. Consideration of the effects of biological and geological processes that may occur within the source watersheds helps with disaster preparedness and increases the resilience of the public drinking water system.

2.2.1 Drought and Low Flows (high: 5, 5)

Low flows exacerbate water quality problems associated with high stream temperatures, concentration of pollutants, low dissolved oxygen, algae growth, and high bacteria counts. The Siletz River is listed under the Clean Water Act 303(d) list as water quality limited for dissolved oxygen, high summer temperature,

turbidity, and flow modification. Mill Creek is also listed as water quality limited for temperature. While lower streamflows in the summer are not unusual, droughts can intensify water quality impacts and extend them throughout the year. As shown in Exhibit 2-2 below, the Siletz-Yaquina basin containing both of the City's source watersheds ~~have~~has experienced moderate to extreme drought conditions multiple times over the past 10 years. Climate change projections in the Pacific Northwest include reduced summer rainfall and increased climatic variability and extremes, including longer and more intense droughts.

Exhibit 2-2. Drought Conditions 2012-2022



Low streamflows coinciding with high demand may present challenges for drinking water supply. Fish and other aquatic life are affected by the water quantity and quality concerns raised by low streamflows, and water supply could potentially be further limited if required to protect streamflows for fish. Under the prior appropriation system, “junior” (newer) water rights may be curtailed or regulated off if “senior” (older) water right holders’ needs are not met. Mill Creek has an instream water right (Certificate 73142) downstream of the City’s intake on Mill Creek Reservoir. The City’s water rights on Mill Creek are senior to the instream water right, so it is not at risk of curtailment of the Mill Creek water supply. There are two instream water rights on the reach of the Siletz River where the City’s intake is located (Certificates 67712 and 67713). The City holds four water rights for the use of water from the Siletz River, three of which are senior to the instream water rights. The fourth water right is junior to the instream water rights and would not be available when streamflows are less than the flows protected by the instream rights, which often occurs in August, September, and October. The City’s junior water right and one of the City’s three senior water rights also contain “fish persistence” conditions requiring reductions in the use of water when target streamflows to protect listed fish species are not met.

2.2.2 Earthquakes (high: 5, 3)

The magnitude, timing, and location of an earthquake would all affect the potential level of damage to water system infrastructure. Infrastructure that may be impacted includes water intakes, transmission and distribution pipelines, storage structures, and water treatment facilities.

2.2.3 Wildfire (medium: 5, 2)

Immediate impacts of wildfire could include damage to water system infrastructure and contamination of drinking water sources with ash and toxic substances released from burning buildings, appliances, vehicles, plastics, and stored hazardous materials. Firefighting chemicals also have the potential to contaminate drinking water sources. Wildfires could remove vegetation and damage soils, which could cause medium- to long-term impacts, such as increased runoff and erosion in the watershed, high turbidity in water sources,

and decreased water infiltration and soil moisture retention. These effects could be mitigated or amplified depending on the location of the fire and associated landscape characteristics, such as steep slopes, soil erosion potential, and proximity to water bodies. Climate change is likely to increase the risk of wildfire in the future.

2.2.4 Severe Storms (high: 3, 5)

Heavy precipitation events that result in rapid runoff or flooding can cause erosion, increasing sedimentation and stream turbidity. This risk may be amplified by land-use practices, such as timber harvest, or by landscape characteristics, such as previously burned areas. Ice storms and windstorms can cause loss of trees and riparian vegetation, damage water infrastructure, and lead to widespread power outages affecting water treatment and distribution. Climate change in the Pacific Northwest region is projected to increase the likelihood of precipitation extremes, including the magnitude of severe storm events during the winter.

While severe storms could occur in both source watersheds, the Siletz River source area contains previously mapped landslide deposits as well as having 34 percent of its tributary stream miles in areas with highly erodible soils. The Siletz River is already more prone to high turbidity events, leading the City to switch to the Mill Creek water source during the winter and spring.

2.2.5 Insect and Fungal Outbreaks (low: 1, 1)

Although insect outbreaks and fungal infection of trees are not currently common in the area, climate change could affect the probability and severity of these events. Outbreaks of bark beetles in forested areas of other basins have led to widespread loss of trees, increasing the risk of erosion and contributing to wildfire risk through fuel loading. The emerald ash borer has not yet been found in Lincoln County but has recently been detected in Oregon and could have a significant impact on ash trees in riparian areas.

2.2.6 Aquatic Invasive Species (low: 3, 1)

Aquatic invasive organisms, such as mollusks, can become established on water intakes, diversion screens, pumps, and in pipelines, which can clog and damage municipal water infrastructure.

2.2.7 Grazing Wild Animals (low: 1, 1)

Grazing wild animals typically present a lower risk than concentrated grazing domestic animals. Nonetheless, very high populations of grazing wild animals or those whose movement is restricted by habitat fragmentation could potentially overgraze or contribute excessive nutrient loading to drinking water source areas through their wastes.

2.3 Forestry

The City's drinking water source watersheds contain substantial forested areas. Within the Mill Creek watershed, 63 percent of the land area is part of the Siuslaw National Forest owned and managed by the US Forest Service, and 23 percent of the land area is under private industrial forest ownership. In the Siletz River watershed, 75 percent of the land is private industrial forest, 5 percent is state forest, and 10 percent is owned by the Bureau of Land Management.

2.3.1 Clearcuts (Siletz River—high: 3, 5; Mill Creek—medium: 3, 3)

Certain forestry practices, such as clearcutting, may increase erosion in the watershed, leading to higher stream turbidity from sedimentation. This risk may be increased if clearcuts are situated in areas with highly erodible soil types. Increased runoff may reduce infiltration of precipitation into groundwater, contributing to

lower streamflows at certain times of year. Modern forestry practices are less likely to cause water quality and aquatic habitat impacts compared to historical practices. Nonetheless, even updated regulatory requirements do not explicitly address drinking water as a beneficial use, so sedimentation and streamflow effects from timber harvest may still pose risks to the City's drinking water sources.

2.3.2 Non-Clearcut Logging and Thinning (Siletz River—medium: 2, 5; Mill Creek—medium: 2, 3)

Non-clearcut timber harvest practices can result in erosion and impact water quality, though these impacts are generally less than those resulting from clearcut timber harvest practices. Although Oregon's Forest Practices Act did not previously require forested riparian buffers for small non-fish-bearing streams, the Oregon Department of Forestry is currently developing new rules to implement the Private Forest Accord that will include recommended changes to the Forest Practices Act. Wider stream buffers are anticipated to be required for large landowners by July 2023. In 2024, additional new rules will go into effect, such as new design standards for forest roads, additional protections for non-fish-bearing streams, and increased retention of trees on steep slopes. While these changes are anticipated to improve water quality and better protect salmonid habitat, development of the Private Forest Accord did not specifically include consideration of drinking water as a beneficial use. Therefore, these requirements and other modern forestry practices are expected to result in fewer water quality impacts compared with historical practices but would not entirely eliminate risks to the City's water sources.

2.3.3 Chemical Applications (low: 1, 2)

Pesticides, such as insecticides, fungicides, and herbicides, may be applied during reforestation. Over-application, improper handling, or aerial spraying could lead to contamination of drinking water sources. The application method and timing can raise risks or mitigate them. For example, the risk may be higher when applying pesticides before precipitation events or at times of year when breakdown by soil microorganisms is slower. Landscape conditions such as steep slopes and areas with limited vegetation also affect the level of risk. In the City's drinking water source watersheds, chemical applications are usually less frequent, reducing the risk. Herbicide application on most silviculture sites in the area is typically conducted 0-3 times over about 40 years.

2.3.4 Prescribed Fire (low: 1, 3)

Localized burning of slash piles is more common in this region than prescribed broadcast burns. Slash pile burning must be properly managed to prevent erosion, runoff, and sedimentation of streams.

2.3.5 Riparian Impacts (medium: 2, 3)

Timber harvest practices that reduce streamside vegetation or change the riparian species mix can increase the potential for erosion of streambanks. Loss of streamside shading elevates stream temperatures and reduces dissolved oxygen, increasing the risk of algae growth and higher bacteria counts. As part of the Private Forest Accord, SB 1501 has increased riparian buffer zones based on stream classifications and has added protections for non-fish-bearing streams.

2.4 Transportation

Road building, maintenance, and usage may increase erosion and stream turbidity. Community road networks, highways, and forest roads share some elements of risk while being differentiated in other ways. Attention to proper siting and construction techniques can reduce these risks.

2.4.1 Roads and Stream Crossings (medium: 4, 3)

Vehicle usage along roads and highways in the source watersheds is accompanied by the risk of leaks or spills of petroleum products or any potentially hazardous materials being transported. This is a particular concern at stream crossings, where a spill could quickly enter water bodies. Roadside vegetation management may include the use of herbicides. Vegetation removal and soil disturbance for the construction of new roads, including forest access roads, may lead to the erosion and sedimentation risks mentioned above. The risk of sedimentation is increased by undersized and failing culverts, inadequately maintained roads, and road density exceeding two miles of road per square miles of watershed. High road densities occur throughout the Siletz River source watershed.

Wet weather haul by loaded logging trucks at stream crossings on native surface and gravel roads can be a chronic source of increased sediment delivery and turbidity. Inadequate gravel depth, lack of road surface drainage and maintenance, and connectivity to inside ditches can all exacerbate this risk. Appropriate construction and maintenance practices can reduce these risks, and unused forest roads may need to be decommissioned to prevent erosion and other impacts.

2.5 Municipal

Well-planned municipal property management practices can protect infrastructure, streams, and ecosystems. In the Siletz River watershed, the City owns the parcels of land surrounding the water intake near the City of Siletz. The City owns 14 percent of the Mill Creek watershed, including the lower watershed area and Mill Creek Reservoir.

2.5.1 Aging Infrastructure (medium: 3, 4)

Aging municipal infrastructure increases the chances of failures that could impact the drinking water supply. Portions of the City's Mill Creek water system infrastructure were built in the 1960s and are now past their expected design life. The City has projects underway and plans to upgrade the Mill Creek water system infrastructure, including replacement of the Mill Creek raw water line. Most of the Siletz River water system infrastructure has been replaced or upgraded more recently. The Toledo Water Treatment Plant was constructed in 1976 and is generally in good condition. Some components of the water treatment system have been replaced or upgraded over the years, and others are past their design life and may need repairs or eventual replacement. For example, the concrete clearwell was built in 1938 and shows signs of cracks and minor leakage.

2.5.2 Vandalism, Sabotage, and Cybersecurity Concerns (medium: 5, 1)

Vandalism or sabotage of water system infrastructure, such as pipelines or the water treatment plant, could impact the drinking water supply. Cybersecurity has become an increasingly important concern for municipal water suppliers.

2.6 Additional Risks in the Siletz River Watershed

As described previously, the Siletz River watershed is much larger than the Mill Creek watershed, and it contains a more varied mixture of development and land uses. Certain risks were identified by the SWA and the DWPP Team as being a greater concern in this watershed.

2.6.1 Biological and Geological Processes

2.6.1.1 Highly Erodible Soils (high: 3, 5)

Erosion potential of soils is quantified in the original 2002 SWA and the updated 2016 SWA. Soil erosion potential is a combination of the effects of steep slopes and natural soil characteristics that increase the likelihood of soil particle movement caused by rainfall and runoff. Highly erodible soils are more sensitive to ground-disturbing activities, such as road construction, property development, and some timber harvest practices. Large areas of the upper Siletz River watershed contain tributary stream channels in areas with high erosion potential, and therefore, generally contribute to turbidity in the river. There are also some highly erodible soils around small tributaries near the City's intake, which pose a higher risk of sudden turbidity spikes that can challenge the water treatment infrastructure. Riparian vegetation can mitigate the risk of precipitation and wind transporting sediment into the stream, and the Lincoln Soil and Water Conservation District (SWCD) is working on an updated Streamside Vegetation Assessment that would provide more insight into areas of higher and lower risk. The updated assessment is anticipated to be completed by ~~April~~ summer 2023.

2.6.2 Agricultural Practices

About 2 percent of the source area in the Siletz River watershed is used for agriculture and falls within the Mid Coast Agricultural Water Quality Management Plan area. The only agricultural activities in the Mill Creek watershed are located downstream of Mill Creek Reservoir and the City's water intake, so they are outside the drinking water source area.

2.6.2.1 Grazing Domestic Animals (medium: 2, 4)

Grazing livestock may contribute to erosion of streambanks and sedimentation of streams by reducing riparian vegetation. Source water contamination may also occur from improper storage and management of animal wastes.

2.6.2.2 Pesticides and Fertilizers (low: 1, 3)

Over-application or improper storage and handling of agricultural chemicals, such as pesticides and fertilizers, could lead to contamination of drinking water sources. Application setbacks and applicator licenses are required for more hazardous chemicals.

2.6.2.3 Irrigated Crops (low: 2, 1)

Excessive irrigation can create runoff and transport of agricultural chemicals and sediment to drinking water sources. Non-irrigated crops are more common in the Siletz River watershed, reducing the probability of contamination.

2.6.2.4 Riparian Impacts (low: 2, 2)

Agricultural practices that reduce streamside vegetation may cause erosion of streambanks and other issues associated with lack of shading and high water temperatures. Oregon Department of Agriculture regulations generally require riparian vegetation buffers where feasible (with some exemptions), but required buffers may not always be in place or sufficient to protect water quality without additional voluntary measures.

2.6.3 Municipal

Additional risks in the Siletz River watershed were identified related to the land application of treated wastewater and management of stormwater in urbanized areas.

2.6.3.1 Land Application of Treated Wastewater (high: 5, 3)

Land application of biosolids from treated wastewater has been conducted in some agricultural areas in the Siletz River watershed for several years. In 2018, community concerns about potential water quality impacts in the Siletz River led to testing of shallow sediments for selected chemicals commonly found in biosolids. No contaminants were detected at that time; however, questions remain regarding the potential need for water quality monitoring for other emerging pollutants of concern.

2.6.3.2 Stormwater (medium: 2, 3)

Stormwater from developed areas may transport pollutants to the City's drinking water. Potential contaminants include pesticides, herbicides, fertilizers, and other landscaping chemicals; grease, oil, antifreeze, and heavy metals from cars; and debris such as trash and pet waste. Large portions of the watershed are undeveloped and unlikely to contribute contaminated stormwater. The City's water intake itself is located south of the City of Siletz in closer proximity to developed areas where stormwater may flow into the river.

2.6.4 Residential

Similar to stormwater impacts from urbanized areas, rural residential development can also potentially contribute contaminants to source areas in a more dispersed manner.

2.6.4.1 Rural Development and Property Management (high: 4, 4)

New construction and associated vegetation removal may cause erosion, increasing stream turbidity. In particular, removal of riparian vegetation can result in streambank erosion with the related water quality impacts discussed previously. Removal or modification of beaver habitat could affect water storage and release that influence summer streamflows, depending on the site location.

Property management practices for new and existing rural development may also affect water sources. Overuse and improper storage or disposal of household and landscaping chemicals may allow contaminants to enter stormwater runoff. Domestic animals, such as chickens and horses, require proper waste management to avoid impacting water quality. Installation of impervious surfaces, such as rooftops, patios, and driveways, can increase runoff of contaminants.

2.6.4.2 Septic Systems (low: 1, 4)

Rural residential development typically relies on septic systems for sanitation. Good siting, proper installation, and conscientious maintenance are needed to prevent leaks and impacts to drinking water. This risk is usually of greater concern to water systems relying on groundwater sources and is a lower risk for surface water systems. The cumulative effects of multiple septic systems closer to the Siletz River could increase the potential for contamination.

2.6.5 Industrial Practices

Although the watershed is not highly industrialized, there are a few industrial land uses that may require careful management to avoid potential water quality impacts.

2.6.5.1 Wood and Pulp Mills (medium: 3, 2)

The 2016 SWA identifies one wood and pulp processing mill in the Siletz River source area upstream of the City's water intake. More recent data from the DWPP Team and local research indicate that this facility now operates as a timber salvage and roofing shingle production operation. While proper handling of chemicals can be a major concern for traditional wood and pulp mills, the current operation of this facility may be a lower risk to water quality.

2.6.5.2 Mines and Quarries (low: 2, 1)

Mill Creek Pit was listed as an active basalt mine in the 2016 SWA, and several other mining operations in the area were listed as closed. Due to the historical prevalence of timber processing activities, there are multiple streams named Mill Creek in the area. The Mill Creek south of Toledo that serves as the City's water source in the winter and spring is a tributary to the Yaquina River, and it is not the same as the Mill Creek near the mining operation, which is a tributary to the Siletz River. Mill Creek Pit is located about 200 feet north of the North Fork of Mill Creek, northeast of Logsdon. The site was previously owned by Plum Creek Timberlands, and a 2010 letter to the Oregon Department of Geology and Mineral Industries (DOGAMI) stated the intention to use materials extracted from the quarry solely for forest land management purposes on lands owned by Plum Creek. The land is currently owned by Weyerhaeuser.

Spills, leaks, and leachate from mining operations may introduce chemicals and waste products into source waters. Ground disturbance can also cause erosion and increase turbidity in nearby streams if measures are not taken to protect water quality. One of Mill Creek Pit's permit conditions requires the operator to prevent turbid water from the site from entering nearby water bodies. Aerial images available from DOGAMI show that 0.7 acres of previously mined lands had been reclaimed and revegetated by 2014. Aerial imagery from 2021 shows some mined areas and a wide vegetated buffer between the mine and Mill Creek.

2.6.6 Recreation

The Siletz River and its watershed are used for many outdoor recreational activities, such as boating, hiking, fishing, camping, and birdwatching.

2.6.6.1 Motorized Boats (low: 2, 1)

Motorized boats are allowed on most reaches of the Siletz River. There are two boat launches upstream of the City's water intake in the drinking water source area. Water quality may be affected by chipping paint and leaks or spills of gasoline and oil from boats.

2.7 Identifying and Addressing New Risks

The City will consider new information and emerging risks as they arise. At a minimum, the City will review the risks presented in the DWPP annually and determine whether to adjust implementation of source protection strategies or seek additional information about potential new risks. DEQ reviews Drinking Water Protection Plans approximately every 5 years to evaluate progress toward water source protection and recertify the plan. At this time, the City will determine whether any new potential sources of contamination need to be assessed and whether any changes to management strategies are needed to address changing conditions. Any updates to the SWA provided by DEQ or OHA will also be incorporated into future plan updates and recertification.

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SECTION 3: Strategies to Address Risks

3.1 Introduction to Strategies

The DWPP Team identified strategies to address each of the risks identified in Section 2. Strategies were developed using local knowledge and technical expertise from the DWPP Team, examples of successful drinking water protection efforts by other water providers, and strategy guidance documents developed by DEQ and other agencies. Each risk may be addressed by multiple strategies. The major categories of strategies identified are:

- Public Education and Outreach
- Technical Assistance
- Critical Area Protection
- Municipal Policies and Infrastructure Management
- Pollution Prevention Programs
- Monitoring Programs
- Watershed Restoration

Exhibit 3-1 shows how each of the identified strategies addresses one or more risks in the two drinking water source watersheds. The remainder of Section 3 describes the strategies.

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Exhibit 3-1. Overview of Risks Addressed by Strategy

Risk Category	Specific Risks	Public Education and Outreach	Technical Assistance	Critical Area Protection	Municipal Policies and Infrastructure Management	Pollution Prevention Programs	Monitoring Programs	Watershed Restoration
Biological and Geological Processes	Highly erodible soils		•	•			•	•
	Earthquakes	•			•		•	•
	Drought and low flows	•	•		•			
	Wildfire	•	•		•		•	•
	Severe storms		•		•		•	•
	Insects and fungal infections	•	•				•	•
	Grazing wild animals							•
	Aquatic invasive species	•			•			•
Agriculture	Grazing domestic animals	•	•					
	Chemical applications	•	•			•		
	Irrigated crops	•	•					
	Riparian impacts	•	•					•
Forestry	Clearcuts		•	•			•	•
	Non-clearcut logging		•	•			•	•
	Chemical applications	•	•			•	•	
	Prescribed fire	•	•					
	Riparian impacts	•	•	•				•
Transportation	Roads		•		•	•	•	
Municipal	Stormwater	•	•	•	•	•		•
	Land application	•	•				•	
	Aging infrastructure				•			
	Vandalism and sabotage				•			
Residential	Rural development	•	•		•	•		•
	Septic systems	•	•					
Industrial	Wood and pulp mills	•						
	Mines and quarries	•	•				•	•
Recreation	Motorized boats	•				•	•	

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3.2 Public Education and Outreach

Public education and outreach strategies aim to raise awareness of water quality issues and engage the public in preventing contamination of water sources. Outreach topics will be tailored based on location and audience. Both of the drinking water source watersheds lie outside City jurisdiction, making partnerships with other organizations and agencies in the watersheds a critical aspect of these strategies for outreach to the general public, including residents, agricultural producers, and forestry operations. Partnering with existing programs that recognize watershed-friendly business practices incentivize businesses to take actions that support healthy watersheds and water sources. Within city limits, outreach focused on water conservation can help reduce pressure on water resources.

Exhibit 3-2 shows the focus areas for each risk to be addressed through public education and outreach.

Exhibit 3-2. Public Education and Outreach Focus Areas

Risk Addressed	Source Watersheds Affected	Outreach within Source Watersheds		Outreach within City
		General Public	Businesses	
Earthquakes	Siletz R., Mill Creek			•
Drought and low flows	Siletz R., Mill Creek	•		•
Wildfire	Siletz R., Mill Creek	•		•
Insect and fungal infections	Siletz R., Mill Creek	•		
Aquatic invasive species	Siletz R., Mill Creek	•		
Grazing domestic animals	Siletz R.		•	
Irrigated crops	Siletz R.		•	
Chemical applications (agriculture and forestry)	Siletz R., Mill Creek		•	
Riparian impacts (agriculture and forestry)	Siletz R., Mill Creek		•	
Prescribed burns	Siletz R., Mill Creek		•	
Stormwater	Siletz R.	•		
Land application	Siletz R.	•		
Rural development	Siletz R.	•		
Septic systems	Siletz R.	•		
Wood and pulp mills	Siletz R.		•	
Mines and quarries	Siletz R.		•	
Motorized boats	Siletz R.	•		

3.2.1 Outreach in the Source Watersheds

Outreach in the drinking water source watersheds will focus on pollution prevention and watershed stewardship. The City will explore opportunities to partner with and provide outreach to upstream communities, such as the City of Siletz. Potential topics include: low impact development protocols, disconnecting stormwater systems from wastewater systems, land application, rural development and land management, and car wash best practices to prevent runoff and pollution. During droughts, the City will promote water conservation and awareness of drinking water sources. The City will support natural disaster preparedness education that assists the public in preparing for the impacts of events, such as earthquakes and wildfires, particularly in the context of potential impacts to drinking water sources.

In partnership with Lincoln SWCD, the City will support outreach promoting irrigation efficiency and conservation upgrades for agricultural producers to prevent runoff that could affect water sources.

Education focused on safe management of chemicals used in agriculture and forestry will help ensure that potential contaminants do not reach drinking water sources. The City will provide referrals to DEQ, Lincoln SWCD, and Oregon State University Extension technical assistance programs for protecting water quality.

In the event of aquatic invasive species introduction, insect outbreaks, or fungal infections occurring in the watershed, the City will seek to promote awareness and encourage the public to track and report the spread through resources such as the Oregon Invasive Species Online Hotline (<https://oregoninvasiveshotline.org/>). Efforts to prevent the spread of aquatic invasive species may also benefit from partnerships with the Port of Toledo and Lincoln County Parks, which manages boat launches on the Siletz River.

3.2.1.1 Business Recognition and Outreach

Business recognition programs incentivize businesses to take action to protect the watershed through principles such as low impact development and integrated pest management. Promoting existing programs is likely to be more straightforward and cost-effective than developing a new program. For example, the Salmon Safe certification program protects rivers, watersheds, and water quality through an accreditation process for farmers, developers, and land managers. Similarly, the Newport Chapter of Surfrider Foundation operates the Ocean Friendly Gardens program, which uses environmentally-friendly landscaping methods to prevent water pollution. The City will promote business recognition programs that align well with its drinking water protection efforts.

3.2.2 Outreach within the City

Within its own jurisdiction, the City has multiple opportunities to interact with residents, businesses, and visitors. The City will provide water conservation education related to droughts and low flows, including projected impacts of climate change on water resources. The goals of this outreach are to prevent water waste, reduce pressure on the water sources, and guard against future shortages. This may include participation in national conservation awareness campaigns such as Imagine a Day Without Water. The City will seek to increase awareness of Toledo's water sources and what is being done to protect them, including best practices for pollution prevention. Potential outreach methods include mailers, flyers, newsletter articles, and billing messages. Specialized outreach may be needed to address natural disasters, such as personal disaster preparedness planning, how to receive disaster alerts, and how to find out if there is a boil water order.

3.3 Technical Assistance

Technical assistance may be provided directly by the City or through referrals to entities, such as the MidCoast Watersheds Council, Lincoln SWCD, DEQ, and OSU Extension. Technical assistance will focus on actions to protect water quality.

3.3.1 Sediment Management

Sediment management technical assistance includes techniques for preventing erosion and sediment transport to drinking water source streams. This may include best practices for construction, road maintenance, forestry, agriculture, rural residential land management, and industry. Areas with highly erodible soils, as mapped in the 2002 SWA, and riparian stream buffers will be prioritized. Specialized assistance may be needed following wildfires or severe storms. The City will implement best practices for sediment management in its own public works and construction projects and will provide referrals to appropriate agencies and organizations as needed to provide technical assistance for sediment management.

Proper road maintenance, such as appropriate grading, bridge and culvert work, and roadside vegetation management, can help prevent or minimize delivery of sediment to adjacent waterways. The City will explore potential collaboration with the Oregon Department of Transportation's culvert inspection program for Highway 229 and Highway 410 in the Siletz River watershed. The City will also support and promote technical assistance where available, particularly for activities like wet weather haul during forestry operations. For example, the Bureau of Land Management develops site-specific drainage plans for timber sales to prevent sedimentation and turbidity during wet weather haul at stream crossings.

3.3.2 Nutrient and Chemical Management

The City will provide information and referrals to technical assistance related to prevention of pollution from nutrients and chemicals, such as fertilizers, pet waste, herbicides, pesticides, and oil and grease from vehicles. This may include best practices for agriculture, forestry, home and garden, and roadside vegetation management. Specialized assistance may be provided following wildfires or severe storms. Oregon Department of Agriculture (ODA) regulations are in place to protect water quality, and the Siletz River watershed is a focus area for voluntary pollution prevention practices for agriculture through Lincoln SWCD. The Natural Resources Conservation Service (NRCS) offers manure management technical assistance. Communications and outreach may also focus on understanding the potential impacts of land application of treated wastewater. The City will communicate with the Oregon Department of Forestry (ODF) to understand relevant Forest Management Plans and aerial or other chemical application buffers in drinking water source watersheds. If an insect or fungal outbreak occurs, the City may review existing regulations and promote management strategies that avoid the potential for chemicals to enter waterways.

3.3.3 Septic Systems

The City will provide information and promote the availability of programs designed to financially assist rural residents with septic system repair and replacement, such as those available through Lincoln County and DEQ. Financial assistance may include grants or loans. Programs may also include property owner education about septic system usage, maintenance, and actions to be taken in the event of septic system failure.

3.4 Critical Area Protection

Areas within the drinking water source watersheds are considered "critical areas" when a potential contaminant source or land use, if present in that area, would have a greater likelihood of impacting water quality or water supply. These areas include land with highly erodible soils, steep slopes, riparian lands around the Siletz River and Mill Creek and their tributaries, areas prone to landslides, and areas with high runoff potential due to slow soil infiltration rates. The 2002 SWA prepared by DEQ identifies and maps these sensitive areas. Critical area protection strategies are designed to protect drinking water sources by preventing activities that could pose a threat to water quality.

3.4.1 Land Acquisition and Conservation Easements

The City will explore land acquisition and conservation easement opportunities. Acquiring land or development rights would provide the City with more management authority over activities outside its jurisdiction in critical areas within the source watersheds. Implementing this strategy could require a partnership with a conservation organization or land trust. The City could also assist landowners in critical areas in obtaining conservation easements or deed restrictions for their properties, which could be used to limit activities that would negatively impact the water sources. For example, this strategy could be used to prevent or carefully manage activities, such as timber harvest or rural residential development.

The City ~~currently~~ owns nearly 400 acres in the lower Mill Creek watershed and manages it according to the Toledo Mill Creek Forest Stewardship Plan (Forest Stewardship Plan) prepared by Trout Mountain Forestry in 2011. ~~The An update of the Forest Stewardship Plan recommends developing a plan update in 2022, which~~ would provide an opportunity for the City to review management actions to-date and ensure that drinking water protection goals continue to be supported by thoughtful forest management. An update of the plan would also allow the City to incorporate changes to the Forest Practices Act enacted through the Private Forest Accord in 2022, which affect stream buffers, road construction, harvest on steep slopes, and other forestry activities.

3.5 Municipal Policies and Infrastructure Management

Municipal policies provide a foundation to guide decision making and investment, presenting a valuable opportunity to make sustainable water management part of Toledo's way of life. Policies may be formally adopted through an ordinance or City Council resolution, or they may be internal directives guiding the operation of City departments. Through municipal policies, the City can set priorities, establish standards and goals, and create accountability through enforcement provisions. Strategies in this category address risks related to biological and geological processes, transportation, stormwater, and infrastructure.

3.5.1 Water Conservation

Demand management helps to reduce pressure on water resources, particularly during the summer when demand is typically highest, streamflows are lowest, and water quality issues may arise. Water conservation is also critical in the event of supply disruptions or prolonged droughts. In addition to the water conservation outreach described in Section 3.2.2, the City will consider adopting development ordinances that would increase the water efficiency of new homes and businesses and their associated landscaping. For example, ordinances could require that indoor plumbing fixtures meet or exceed specific efficiency standards, or specify that water-wise landscaping and water-efficient irrigation technologies be used. The City will also explore opportunities to conserve water used in City parks and facilities.

3.5.2 Infrastructure Management

Maintenance and improvements to City water infrastructure will increase reliability and protect water quality. The City will conduct regular maintenance and targeted upgrades in coordination with the City's Water Master Plan and applicable capital improvement plans. Specialized projects may be needed to prepare for or recover from wildfires, severe storms, or similar disaster conditions. Earthquake preparedness measures may include installation of check valves on tanks, protection of pipes, and securing backup electrical systems or generators. The City recently installed a back-up electric generator for the Siletz River water intake system, which will allow water to continue to be pumped from the river during power outages. Resilient water infrastructure management also includes efforts to improve cybersecurity and prevent or respond to potential vandalism or sabotage. In addition to City-owned water system infrastructure, the City may implement policies to support good road maintenance practices that help prevent stormwater pollution, erosion, and sedimentation.

3.6 Pollution Prevention Programs

Pollution prevention programs focus on avoiding contamination of drinking water source areas by promoting safe disposal of chemicals and hazardous wastes. These strategies build on the technical assistance and educational programs described above to include proactive hazardous waste collection activities and coordination of spill response plans to respond to accidental releases of chemicals that may affect drinking water sources.

3.6.1 Hazardous Waste Collection

Hazardous waste collection events offer opportunities for residents and businesses to safely dispose of potentially hazardous chemicals that they no longer need. The City will investigate options for setting up permanent drop-off locations or sponsoring one-day events for collecting household and business hazardous waste. Examples of materials that may be accepted include paint, motor oil, batteries, antifreeze, expired medications, and chemicals used in landscaping, agriculture, and forestry. Special events may be held specifically targeting businesses that may have larger quantities of agricultural or forestry chemicals (pesticides, fertilizers, etc.) requiring safe disposal. The City will communicate with Lincoln County and DEQ about collaboration and funding sources for sponsoring hazardous waste collection events and ongoing collection programs. Lincoln County holds annual household hazardous waste collection events. The City will also explore partnerships with the Port of Toledo and Lincoln County Parks boat launch areas for collection of boating-related hazardous waste, such as fuels, solvents, varnishes, bottom paints, antifreeze, and oil. The Oregon State Marine Board has approved the Port of Toledo as a Certified Clean Marina for its efforts to reduce water pollution through public outreach and implementation of best practices in its shipyard services. Boating-related hazardous waste collection events could be developed as a natural extension of the Port's existing programs.

3.6.2 Spill Response Plans

The purpose of this strategy is to coordinate spill response plans with other municipalities whose drinking water intakes may also be affected by large upstream spills of gasoline or other hazardous chemicals, primarily in the Siletz River watershed. This has been identified as a higher risk where roads cross the river and its tributaries, since a spill in these locations could more quickly reach the water source. The Cities of Siletz and Newport also have intakes on the Siletz River and could be affected by a spill, so having specific spill response procedures in place would allow for quicker response and targeted notifications to all potentially affected municipalities.

The City will communicate with Lincoln County about integrating hazardous spill response planning into the County's existing Emergency Operations Plan. Currently, the County's plan calls for coordination with local fire departments and notification of the National Response Center in the event of an oil or chemical spill. The Toledo Fire Department maintains emergency plans and procedures to provide hazardous materials incident support and can request assistance from the Oregon State Fire Marshal Regional Hazardous Materials Team. Integrated spill response plans would enable any entity that learns of a spill to communicate important information quickly to others, including the Cities of Toledo, Newport, and Siletz; Lincoln County; the Oregon Department of Transportation; and others as needed. This would enable drinking water providers to assess the potential threat to their systems and determine whether there is a need to temporarily suspend operation of an intake, switch to an alternate water source, or use stored water to meet demands until the water source is once again safe.

3.7 Monitoring Programs

Monitoring programs can be designed to assess current threat levels and to track changes in an area over time. Water quality monitoring is needed to detect and address any potential degradation of water quality in the drinking water sources. In addition, the City may decide to monitor for potential insect and fungal outbreaks in the watersheds as needed.

3.7.1 Water Quality Monitoring

The City conducts routine drinking water quality monitoring at the water treatment plant in compliance with all state and federal requirements. Water quality monitoring in the source watersheds and tributaries would

help the City understand potential upstream sources of pollution and determine whether any action is needed to prevent contamination.

Because of the seasonal water quality issues in the City's water sources, each one is used at a particular time of year. Due to low streamflows in Mill Creek and shallow water in Mill Creek Reservoir above the intake, this water source frequently experiences algae blooms in the summer, causing taste and odor issues. Therefore, Mill Creek is used primarily during the winter and spring months. The Mill Creek watershed is much smaller than the Siletz River watershed, and no areas of highly erodible soils have been mapped in the area. The City's 2017 Water Master Plan reports that turbidity at the intake on Mill Creek rarely exceeds 1.0 NTU (Nephelometric Turbidity Unit, a common unit of measurement for turbidity) even during the winter. While extensive monitoring in the Mill Creek watershed may not be needed at this time, the City may consider targeted monitoring after specific events, such as logging or chemical applications in the watershed.

The Siletz River watershed covers a substantial area under multiple jurisdictions and a wide variety of land uses. The City is limited to using the Siletz River water source during the summer and fall months because winter storms greatly increase turbidity in the river. Heavy loads of silt and sand damage the pump bearings at the intake and increase the difficulty of water treatment. The City will explore potential partnerships with other Siletz River water users, such as the Cities of Newport and Siletz, for creating an early-warning system of turbidity monitoring in areas of the watershed with highly erodible soils that could cause issues further downstream. Turbidity monitoring could be conducted on a routine basis or could include targeted sampling following events, such as wildfires, earthquakes, or severe storms. In addition to turbidity monitoring, the City will also investigate the need for water quality monitoring before and after activities, such as logging, mining, roadside vegetation management, land application, and chemical applications in agricultural and forestry operations.

3.7.2 Insect and Fungal Outbreak Monitoring

Regional outbreaks of certain types of insects or fungal infections could lead to widespread tree mortality in the drinking water source areas. In the event of a reported outbreak, the City will provide public information about detecting the pest species and will publicize reporting systems to monitor the spread of the insect or fungus, such as the Oregon Invasive Species Online Hotline. As needed, the City will implement monitoring and determine other actions that may be needed to control the spread within the drinking water source areas.

3.8 Watershed Restoration

Healthy source watersheds are better able to produce clean water for communities, the environment, agriculture, and other uses. Activities and projects that restore and enhance watershed health can protect water quality, reduce sedimentation and turbidity in streams, and help maintain higher streamflows longer into the summer when surrounding lands are better able to retain soil moisture and contribute to baseflows. Watershed restoration strategies may be used to address risks related to highly erodible soils, agriculture, forestry, mining, and municipal stormwater, along with specialized projects to recover following natural disasters. Restoration activities can be planned for portions of the Mill Creek watershed owned by the City, and the City can support or promote voluntary restoration of the Siletz River watershed upstream of the intake. Restoration can also be combined with Critical Area Protection strategies.

3.8.1 Restoration Projects

Specific activities may include invasive species removal, revegetation with native plants, planting or maintenance of riparian buffers, erosion control and slope stabilization, and installation of large woody

debris in streams. Strategic fencing can be used to manage potential impacts from grazing wild and domestic animals in the source watersheds while also maintaining habitat connectivity. Decommissioned forest access roads can be assessed to identify locations where revegetation and drainage improvement techniques may be needed to protect water quality. On-the-ground habitat restoration and enhancement projects can be linked with targeted outreach about invasive species management for rural development, forestry, mining, and other sectors as needed. As feasible, the City will support and collaborate with local entities engaged in watershed restoration, such as the MidCoast Watershed Council, Lincoln SWCD, and the Alsea Stewardship Group for projects on forest lands near the Siuslaw National Forest.

Special projects may need to be developed following events such as earthquakes, wildfires, severe storms, or insect and fungal outbreaks. Monitoring activities recommended above can be used to determine the need for specific projects. Restoring floodplains and beaver habitat can improve streamflows and help make the watersheds more resilient to drought, extreme high and low flows, and climate change. Restoration following wildfires or severe storms may be focused on stabilizing soils, accelerating revegetation, and reducing erosion risks.

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SECTION 4: Implementation Plan

The implementation plan section of the DWPP describes the activities that the City plans to undertake as part of its strategies to address risks to the drinking water supply source areas. The implementation plan includes activities over the next six years, but some activities may require longer planning timeframes or are intended to be ongoing. Potential funding sources are also described in this section, since implementation of many activities will be contingent on funding and staff availability. The City plans to continue engaging the DWPP Team and building partnerships during implementation. The implementation plan will be reviewed periodically to assess progress and determine if new actions are needed to address any changes in risk levels or watershed conditions.

The implementation plan is divided into three phases based on the complexity and readiness of the activities to proceed. Activities listed in Phase 1 include actions that can be implemented immediately along with data collection activities to fill data gaps and inform future activities. Phase 2 includes actions that require additional preparation, such as developing partnerships. Activities with longer lead times or more substantial funding needs are included in Phase 3. Specific activities to implement each strategy listed in Section 3 are described by phase below.

4.1 Phase 1: Immediate Activities and Data Gathering

4.1.1 Public Education and Outreach

4.1.1.1 Outreach in the Source Watersheds

To address risks in the source watersheds, the City will continue to learn about current forestry and agricultural practices in order to develop outreach about the DWPP and how specific risks can be minimized or eliminated. The City will seek information about existing outreach programs in the City of Siletz that may be relevant, such as water conservation or pollution prevention programming that would benefit the Siletz River as a shared water source. Additional research may be done to better understand any existing low impact development programs and projects in the City of Siletz or other upstream communities. During this phase, the City will begin promoting existing programs that support public education and watershed protection, such as Lincoln SWCD programs and the Ocean-Friendly Gardens program. Topics could include riparian vegetation, sediment and chemical management, or irrigation efficiency, among others.

4.1.1.2 Outreach within the City

Additional outreach efforts within the City of Toledo will focus on promoting water conservation through participation in the Mid-Coast Water Conservation Consortium (Mid-Coast Water) and creating educational materials about the DWPP, risks and strategies, and how residents and businesses can help protect drinking water supplies.

4.1.2 Technical Assistance

During Phase 1, the City will focus on gathering information about current technical assistance programs, such as those offered by Lincoln SWCD, ODA, ODF, ODOT, BLM, NRCS, and USFS. Specifically, the City will learn about programs for sediment management and nutrient and chemical management, including septic system assistance programs.

4.1.3 Critical Area Protection

Assessing and prioritizing critical areas in the source watersheds is a necessary precursor to any protection activities. The City will use data from the SWA, the 303(d) list, and other sources as needed to prioritize potential locations that may need additional protection to ensure healthy watersheds and water quality. Areas for protection could include those with highly erodible soils, steep slopes near water sources, areas prone to landslides, and stream buffers. The City will coordinate with Lincoln SWCD and other local agencies to learn about current land management practices and whether they are already providing sufficient protection of identified critical areas. As needed, the City will begin communicating with landowners and land managers about best practices and existing conservation programs, such as the Conservation Reserve Enhancement Program (CREP) for agricultural and ranching landowners.

4.1.4 Municipal Policies and Infrastructure Management

The City will strive to enhance water conservation and protection policies. By participating in Mid-Coast Water, the City will seek to promote water conservation and share best practices with other water providers in the region. As a Mid-Coast Water member, the City has access to water conservation outreach materials and water conservation items to offer customers, such as faucet aerators, water-efficient showerheads, shower timers, and toilet leak detection dye tablets. The City will begin assessing opportunities for water conservation at City-owned facilities and parks to better protect the water supply.

In coordination with the City's Water Master Plan and its Water Management and Conservation Plan, the City will start assessing water system infrastructure needs for disaster preparedness and achieving reductions in water loss. The City will also communicate with Lincoln County and ODOT to determine if there are current evaluations of roads in the source watersheds that may contribute to stormwater pollution or sediment. Infrastructure management activities during Phase 1 will be aligned with projects in the City's annual budget, such as replacement of the Mill Creek raw water line.

4.1.5 Pollution Prevention Programs

The City will begin coordinating with DEQ and Lincoln County Solid Waste District to set up collection sites or sponsor regular drop-off events for household hazardous waste. To facilitate proper disposal of agricultural chemicals, the City will connect with ODA, DEQ, and the Lincoln County Farm Bureau to investigate hosting collection events and to learn about opportunities with the Pesticide Stewardship Partnership. Additional data gathering during Phase 1 will focus on learning about existing spill response plans that may have been developed by the City of Siletz, City of Newport, Lincoln County, and ODOT.

4.1.6 Monitoring Programs

During Phase 1, the City will learn about existing water quality monitoring programs, such as those being implemented by Surfrider, DEQ, Lincoln SWCD, the MidCoast Watershed Council, and other municipalities in the area. Next, the City will determine the most important water quality parameters to monitor regarding its drinking water sources and will assess whether these are already sufficiently monitored by other entities or if new programs may be needed. In particular, new monitoring programs may be desirable to understand changes in water quality before and after clearcuts or other large-scale timber harvest activities, chemical applications, land application of treated wastewater, landslides, wildfires, severe storms, or earthquakes. The City will also learn about any "watch list" insects, fungi, or aquatic invasive species that may become a threat in the area.

4.1.7 Watershed Restoration

The City will gather information about existing restoration efforts that are ongoing or planned in the source watersheds and will then determine if there are priority areas where the City can support restoration. During Phase 1, the City will begin proactively exploring funding options for restoration of these key areas. The City will maintain a list of potential funding sources, including post-disaster recovery funds that could be used to protect water quality.

4.2 Phase 2: Develop Partnerships and Continue Implementation

Actions included in Phase 2 include continued data gathering and implementation of Phase 1 actions as well as development of partnerships for more complex projects.

4.2.1 Public Education and Outreach

4.2.1.1 Outreach in the Source Watersheds

During Phase 2, the City will develop partnerships with entities, such as Lincoln SWCD and the City of Siletz, to co-develop outreach materials targeting specific drinking water risks, such as agriculture and municipal stormwater. The City will maintain regular communications with forest managers to understand upcoming activities, such as timber harvest and chemical applications, and will subscribe to ODF's Forest Activity Electronic Reporting and Notification System (FERNS) to receive timely information about planned forest operations. Targeted outreach materials will be developed for forest managers describing the City's DWPP and strategies related to forestry and expressing interest in regular communications and collaboration. The City will explore partnering or promoting the Salmon Safe certification for businesses in the Siletz River watershed.

4.2.1.2 Outreach within the City

The City will continue its efforts to educate water customers about water conservation and the true value of tap water, and may begin to include targeted outreach in mailers or billing messages based on current needs and the observed impact of previous efforts. Website content will be developed or updated to describe the DWPP and actions that residents can take. A pub talk style public outreach series will be developed to make water-related topics accessible to a range of audiences and promote best practices for conservation and pollution prevention.

4.2.2 Technical Assistance

The City will continue to promote existing technical assistance programs and resources describing best practices for sediment, nutrient, and chemical management. During Phase 2, the City will work to develop and strengthen partnerships with other agencies and organizations working in these areas so it can provide seamless referrals to the appropriate resources.

4.2.3 Critical Area Protection

Based on the results of the critical area assessments undertaken during Phase 1, the City will determine whether to begin developing partnerships with organizations and land trusts, such as the McKenzie River Trust, Oregon Coast Community Forestry Association, and the Greenbelt Land Trust. Partnerships will be targeted toward potential acquisition or conservation easements for identified critical areas.

4.2.4 Municipal Policies and Infrastructure Management

During Phase 2, the City will research and evaluate the adoption of water conservation ordinances as a way to reduce water demand and prevent water waste. Ordinances may target indoor water use, such as by requiring water-efficient plumbing fixtures in new development, or outdoor water use, such as by requiring or encouraging planting of low water use, drought-tolerant species.

Depending on funding and staffing availability, the City will begin implementing water conservation activities and upgrades at City-owned parks and facilities that were identified during Phase 1. The City will continue water system infrastructure maintenance and upgrades to improve disaster preparedness and to decrease water loss from the system. The City will consider cybersecurity training and system assessments that may be available through the American Water Works Association or the Environmental Protection Agency. The City will support any road maintenance programs and practices that were determined during Phase 1 to prevent pollution and sediment transport to the drinking water sources.

4.2.5 Pollution Prevention Programs

Partnerships will be developed with the Port of Toledo and/or Lincoln County Parks for collection of boating-related hazardous waste. Public service announcements or other outreach may be developed in conjunction with waste collection, and signage may be developed for posting at boat ramps. For agricultural or forestry chemicals, the City will consider implementing drop-off events through the Pesticide Stewardship Partnership or similar one-day events. Using the information collected during Phase 1 regarding existing spill response plans, the City will coordinate with other entities to update its own spill response plan as needed. The City will keep an updated list of contact information so that the appropriate parties can be notified quickly in the event of a spill that could threaten drinking water sources.

4.2.6 Monitoring Programs

Monitoring programs will be developed as needed during Phase 2 based on the results of the evaluations conducted during Phase 1 and the potential to build on existing monitoring programs. Parameters to monitor will be selected, appropriate monitoring locations will be chosen, protocols and schedules will be developed, and responsible parties will be identified to conduct the monitoring. The City will explore relevant partnerships to secure funding for water quality monitoring, such as programs funded by OHA. Water quality monitoring results will be shared with the Public Works Department to ensure that any risks to the drinking water supply can be addressed quickly. Should any insect or fungal outbreaks occur, the City will maintain communications with agencies monitoring or responding to the outbreak. The City will also promote existing reporting hotlines for outbreaks and invasive species, such as the Oregon Invasive Species Online Hotline.

4.2.7 Watershed Restoration

The City will develop a list of existing projects that would contribute to drinking water source area protection and will maintain communications with potential partner organizations regarding these projects. To the extent possible, the City will also assist with pursuing funding for these projects and provide in-kind or monetary support for project implementation. Specific activities will depend on the location of restoration and enhancement projects and their relationship to the drinking water sources. Priority areas are likely to include those with highly erodible soils, riparian corridors, areas where wild animals appear to be concentrated or overgrazing, and lands affected by mining or forestry activities.

4.3 Phase 3: Long-Term Implementation

Phase 3 will include continued implementation of activities described in earlier phases, with some additional actions that require more preparation as described below.

4.3.1 Public Education and Outreach

4.3.1.1 Outreach in the Source Watersheds

During Phase 3, the City will communicate with Lincoln County and upstream communities in the Siletz River watershed to promote low impact development.

4.3.2 Critical Area Protection

As needed, the City will begin pursuing funding for conservation easements or land acquisition of critical areas in collaboration with the partners discussed in Phase 2. This may include the Drinking Water Source Protection Fund through the Oregon Health Authority, the Oregon Agricultural Trust for agricultural lands, and the Oregon Watershed Enhancement Board. The City will develop or co-develop management plans for areas to be acquired.

4.3.3 Municipal Policies and Infrastructure Management

As needed, the City will seek funding to implement more substantial water conservation efforts, such as upgrades at City facilities and parks. This could include replacement of older, inefficient plumbing fixtures or irrigation systems. Should any disasters occur during the implementation period, specialized recovery projects may be needed to rebuild or repair water infrastructure.

4.3.4 Pollution Prevention Programs

The City will develop a schedule for regularly implementing pollution prevention programs and will maintain a list of related contacts and outreach materials to facilitate ongoing implementation efforts.

4.3.5 Monitoring Programs

During Phase 3, the City will implement any water quality monitoring programs developed during Phase 2. In the event of insect or fungal outbreaks or detection of aquatic invasive species, the City will coordinate with response agencies to promote management methods with lower contamination risk to water sources, such as non-chemical treatments where possible.

4.3.6 Watershed Restoration

In addition to longer-term support of prioritized restoration and habitat enhancement efforts, specialized projects to recover from disasters will be implemented as needed.

4.4 Overview of Timeline and Entities Involved

In general, the City anticipates that Phase 1 activities will occur during the first year of implementing the DWPP. There will likely be some overlap with Phase 2, anticipated to occur during the first 3 years of implementation, depending on the development of partnerships and availability of funding and staff resources. Long-term implementation activities under Phase 3 are expected to be undertaken within 4-6 years of adoption of the DWPP.

Exhibit 4-1 presents a summary of the implementation plan timeline by phase, strategy (see Section 3 for additional details), and risks addressed (see Section 2 for additional details). Exhibit 4-2 lists responsible parties and potential partner organizations.

Exhibit 4-1. Implementation Plan Summary by Phase

Strategy	Phase 1 Activities	Phase 2 Activities	Phase 3 Activities	Risks Addressed
Public education and outreach				
Source watersheds	▪ Learn about existing City of Siletz outreach ▪ Continue to learn about current forestry practices and develop outreach about DWPP ▪ Continue to learn about current agriculture practices and develop outreach about DWPP ▪ Learn about existing programs for low impact development in upstream communities ▪ Promote existing Lincoln SWCD programs ▪ Explore promoting Ocean-Friendly Gardens	▪ Co-develop outreach materials with Lincoln SWCD as appropriate ▪ Co-develop additional outreach with City of Siletz as needed ▪ Regular communications with forestry companies ▪ Explore promoting Salmon Safe certification	▪ Work with the County and upstream communities to promote low impact development	▪ Drought and low flows ▪ Biological and geological processes ▪ Forestry practices ▪ Agricultural practices ▪ Municipal stormwater ▪ Rural residential practices ▪ Septic systems ▪ Recreation
Within City	▪ Promote water conservation through Mid-Coast Water ▪ Create outreach about DWPP	▪ Targeted outreach in mailers or billing messages as needed ▪ Public outreach series (pub talk style)		▪ Drought and low flows ▪ Biological and geological processes
Technical assistance				
Sediment management	▪ Learn about current TA programs (Lincoln SWCD, ODA, ODF, BLM, USFS, NRCS) ▪ Learn about ODOT culvert program ▪ Sign up for ODF FERNs notifications. Review and comment (as needed) on proposed forestry management actions ▪ Develop an action plan that assesses the highest risk areas and prioritizes best management practices for targeted outreach	▪ Promote existing programs and best practices ▪ Partnerships with existing entities ▪ Identify funding sources for sediment prevention and mitigation		▪ Highly erodible soils ▪ Drought and low flows ▪ Biological and geological processes ▪ Transportation ▪ Forestry practices ▪ Agricultural practices ▪ Municipal stormwater ▪ Rural residential practices ▪ Industrial practices
Nutrient and chemical management	▪ Learn about current TA programs (Lincoln SWCD, ODA, NRCS, ODF, BLM, USFS) ▪ Develop an action plan that assesses the highest risk areas and prioritizes best management practices for targeted outreach	▪ Promote existing programs and best practices ▪ Partnerships with existing entities		▪ Highly erodible soils ▪ Drought and low flows ▪ Biological and geological processes ▪ Transportation ▪ Forestry practices ▪ Agricultural practices ▪ Municipal stormwater ▪ Rural residential practices ▪ Septic systems
Septic system assistance	▪ Septic system assistance program referrals	▪ Partnerships with existing entities ▪ Consider financial incentives for landowners to inspect and maintain septic systems		▪ Rural residential practices ▪ Septic systems

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Strategy	Phase 1 Activities	Phase 2 Activities	Phase 3 Activities	Risks Addressed
Critical area protection				
Critical area protection	- Assess and prioritize critical areas in source watersheds, including 303(d) list - Learn about current land management (coordinate with Lincoln SWCD) - Communicate with landowners about best practices and existing conservation programs (e.g., CREP, Lincoln SWCD)	Develop partnerships with land trusts if needed (McKenzie River Trust, Oregon Coast Community Forestry Association, Greenbelt Land Trust)	- Seek funding for conservation easements/acquisition (DWSPF implementation, OWEB, OAT for agricultural) if needed - Develop management plans for areas to be acquired	- Highly erodible soils - Forestry practices - Agricultural practices - Municipal stormwater - Rural residential practices
Municipal policies and infrastructure management				
Water conservation	- Continue participating in Mid-Coast Water - Assess water conservation opportunities at city facilities and parks	- Consider water conservation ordinances - Implement water conservation at city facilities and parks	As needed, seek funding for more substantial water conservation opportunities, such as at city facilities and parks	- Drought and low flows - Agricultural practices - Rural residential practices
Infrastructure management	- Assess water system infrastructure needs for disaster preparedness and water loss (coordinate with Water Master Plan) - Learn about County or ODOT assessments of roads that may contribute to stormwater pollution or sediment	- Maintenance and upgrades to improve disaster preparedness and decrease water loss - Consider cybersecurity training and system assessment (AWWA, EPA) - Support road maintenance practices that prevent pollution and sediment transport	As needed, specialized projects to recover from disasters	- Drought and low flows - Biological and geological processes - Transportation - Municipal stormwater - Aging infrastructure - Vandalism
Pollution prevention programs				
Hazardous waste collection	- Set up drop sites or sponsor drop-off events for household hazardous waste (coordinate with DEQ, Lincoln County Solid Waste District) - Connect with ODA/DEQ about Pesticide Stewardship Partnership, Lincoln County Farm Bureau – host collection events or sites	- Partner with Port and/or Lincoln County Parks for boating-related hazardous waste collection – PSA/signage at boat ramps - Consider implementing drop-off events with Pesticide Stewardship Partnership or similar 1-day events	- Develop a schedule for regularly implementing pollution prevention programs - Maintain list of contacts and outreach materials for future events	- Forestry practices - Agricultural practices - Municipal stormwater - Rural residential practices - Recreation
Spill response plans	Learn about existing spill response plans (City of Siletz, City of Newport, Lincoln County, ODOT)	Coordinate response plans and keep contact info updated		- Forestry practices - Agricultural practices - Transportation
Monitoring programs				
Water quality monitoring	- Learn about existing water quality monitoring programs (Surfrider, DEQ, City, Lincoln SWCD, Mid-Coast Watersheds Council) - Determine most important parameters to monitor (see 303(d) list)	- Develop additional monitoring plans as needed - Potential partnership on funding for water quality monitoring (OHA)	Implement monitoring plans	- Biological and geological processes - Forestry practices - Transportation
Insect/fungal/aquatic invasive monitoring	Learn about any “watch list” species that may become a threat in the area	- Communicate with agencies monitoring any outbreaks - Promote reporting hotline in the event of outbreaks	As needed, promote management methods with lower contamination risk to water sources	Biological and geological processes

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Strategy	Phase 1 Activities	Phase 2 Activities	Phase 3 Activities	Risks Addressed
Watershed restoration				
Restoration projects	- Learn about existing restoration efforts - Determine priority areas to support restoration - Explore funding options proactively for restoration, including post-disaster funding	- Ongoing communication and tracking of restoration work - In-kind or other support of prioritized restoration	As needed, specialized projects following disasters	- Highly erodible soils - Drought and low flows - Biological and geological processes - Transportation - Forestry practices - Agricultural practices - Municipal stormwater - Rural residential practices - Industrial practices

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Exhibit 4-2. Responsible Parties and Potential Partnerships

Category	Potential Partners
Public Education and Outreach	
Source Watersheds	City of Siletz, Lincoln SWCD, Surfrider, Salmon Safe, Lincoln County, People for Lincoln Land and Waters (PLLW)
Within City	Mid-Coast Water
Technical Assistance	
Sediment Management	Lincoln SWCD, ODA, ODF, BLM, USFS, ODOT (culvert program), DEQ
Nutrient and Chemical Management	Lincoln SWCD, ODA, NRCS, ODF, BLM, USFS, DEQ
Septic System Assistance	DEQ, Lincoln County, ODA
Critical Area Protection	
Acquisition and Conservation Easements	Lincoln SWCD, McKenzie River Trust, Greenbelt Land Trust, Oregon Coast Community Forest Association, OWEB
Municipal Policies and Infrastructure Management	
Water Conservation	Mid-Coast Water
Infrastructure Management	ODOT, County (roads), AWWA (cybersecurity), industry
Pollution Prevention Programs	
Hazardous Waste Collection	DEQ and ODA (Pesticide Stewardship Partnership), Lincoln County Solid Waste District, Lincoln County Farm Bureau, Port of Toledo, Lincoln County Parks (boat launches), industry
Spill Response Plans	City of Siletz, City of Newport, Lincoln County, ODOT, industry
Monitoring	
Water Quality Monitoring	DEQ, Lincoln SWCD, MidCoast Watershed Council, Surfrider, OHA
Insect, Fungus, and Aquatic Invasive Species Monitoring	ODFW, ODA, ODF
Watershed Restoration	
Restoration Projects	MidCoast Watershed Council, Lincoln SWCD, ODFW, industry

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4.5 Potential Funding Sources

The following is a list of potential funding sources for supporting implementation of the DWPP. The City's SWA also contains a list of funding sources.

- Drinking Water Source Protection Fund, Oregon Health Authority
 - Provides grants of approximately \$30,000-\$50,000; grants can be received in two consecutive years, then there must be at least one year before another grant is awarded
 - Provides loans up to \$100,000 per project
 - Funding must be used within two years
 - Emergency grants are available to address threats to drinking water supplies outside of the standard Letter of Interest submission timeline
 - Letters of Interest due from January through March
 - Example projects: land acquisition, incentive-based protection measures, community outreach, riparian restoration, waste collection, and watershed planning
 - <https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/DRINKINGWATER/SRF/Pages/spf.aspx>
- Drinking Water Provider Partnership Grants, Numerous partners (Oregon Department of Environmental Quality, USFS, US EPA, BLM, USDA, The Freshwater Trust, GEOS Institute, Wild Earth Guardians, Washington State Department of Health)
 - Provides grants up to \$50,000
 - Project must be in a drinking water source area with a Federal nexus (e.g., USFS and BLM)
 - Funding must be used within 18 months
 - Proposals due in early January
 - Supports projects that restore and protect watersheds that provide drinking water while also benefiting aquatic and riparian ecosystems, including the native fish that inhabit them
 - Example projects: develop native riparian reserves, road sediment analysis and road redesign, riparian planting, weed control, floodplain reconnection
 - <https://geosinstitute.org/initiatives/dwpp/>
- Clean Water State Revolving Fund, Oregon DEQ and US EPA
 - Provides below-market rate loans for planning, design, and construction projects that protect public health, restore natural areas, and promote economic development.
 - Applications reviewed three times a year
 - Example projects: establishing monitoring programs and outreach programs, watershed restoration, loans for septic system upgrades/replacements, land purchase, and nonpoint source control activities
 - <https://www.oregon.gov/deq/wq/cwsrf/pages/default.aspx>
- Oregon 319 Nonpoint Source Implementation Grants, Oregon Department of Environmental Quality
 - Provides grants up to \$30,000 and requires a 40% non-Federal match (i.e., 40% of the total project cost must be covered by non-federal funds and/or in-kind services)
 - Only projects with a DEQ Watershed-Based Plan are eligible (shown in Section B of the application information)
 - Application period closes in April or May
 - Supported activities include technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring
 - Projects that involve collaborative stakeholder partnerships are encouraged
 - Projects that protect or replace failing infrastructure on USFS or BLM roads or lands are not eligible

- <https://www.oregon.gov/deg/wq/programs/pages/nonpoint-319-grants.aspx>
- Oregon Watershed Enhancement Board
 - Monitoring grants: eligible monitoring projects include status and trend, project effectiveness, landscape effectiveness, and Rapid Bio-Assessment; apply in the fall
 - Restoration: Priorities include altered watershed function affecting water quality, water flow, and fish production capacity; apply in the spring or fall
 - Stakeholder Engagement: Eligible projects increase awareness and understanding in watersheds to support implementation of specific restoration, monitoring, and conservation activities; apply in spring or fall
 - Technical Assistance: apply in spring or fall
 - Land Acquisition Grants: Eligible projects involve purchase of interests in land from willing sellers for maintenance and restoration of watersheds and fish and wildlife habitat; apply in the fall
 - Water Acquisition Grants: Eligible projects involve purchase of an interest in water from a willing seller to increase in streamflow for habitat and species conservation benefits and to improve water quality; apply in fall
 - Small Grants: Provides up to \$15,000 for less complex, on-the-ground restoration projects
 - <https://www.oregon.gov/oeb/grants/Pages/grant-programs.aspx>
- Feasibility Study Grants and Water Project Grants and Loans, Oregon Water Resources Department
 - Water Project Grants and Loans
 - Applications are due in April
 - Supports projects that address instream and out-of-stream water supply needs now and into the future
 - Example projects include: irrigation efficiency projects
 - Feasibility Study Grants
 - Reimburse up to 50% of the costs of studies to evaluate the feasibility of developing water conservation, reuse, and storage projects
 - Applications are due in fall
 - <https://www.oregon.gov/owrd/programs/FundingOpportunities/Pages/default.aspx>
- Various Financial Assistance Programs, USDA Natural Resources Conservation Service
 - Environmental Quality Incentives Program (EQIP): Financial and technical assistance to agricultural and forestry producers to address natural resources concerns and provide environmental benefits, such as water quality improvements, reduce soil erosion and sedimentation, and improved wildlife habitat
 - Conservation Stewardship Program: Encourages farmers, ranchers, and woodland owners to take the conservation a step further by implementing additional conservation activities and enhancements
 - National Water Quality Initiative (NWQI): Provides funding for a detailed watershed assessment and an outreach strategy to address agricultural-related impacts, and following completion, funding to implement projects becomes available through EQIP
 - <https://www.nrcs.usda.gov/wps/portal/nrcs/main/or/programs/>
 - Watershed and Flood Prevention Operations Program: Provides financial and technical assistance for erosion and sediment control, watershed protection, flood prevention, water quality improvements, water management, fish and wildlife habitat enhancement, hydropower sources, and rural, municipal, and industrial water supply; the project must have agricultural benefits
 - <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/landscape/wfpo/>

- Emergency Watershed Protection Program: Provides technical and financial assistance for communities following natural disasters that impair a watershed. Examples of activities that could be funded include removal of debris from stream channels and culverts, restoration of streambanks, establishing vegetative cover on critically eroding lands, repairing levees, and purchase of floodplain easements
 - <https://www.nrcs.usda.gov/programs-initiatives/ewp-emergency-watershed-protection>
- Five Star and Urban Waters Restoration Grant Program, US EPA and National Fish and Wildlife Foundation
 - Provides grants to improve water quality, watershed conditions, and fish and wildlife habitat
 - Projects must incorporate: wetland, riparian, instream, and/or coastal habitat restoration; and education and training activities through community outreach, participation, and/or integration with K-12 environmental curriculum; five or more partners; measurable ecological, educational, and community benefits; and a plan for sustaining the benefits
 - Awards range from \$20,000-\$50,000, and grants span 12 to 18 months with a start date in late summer/early fall; apply in January
 - <https://www.epa.gov/wetlands/5-star-wetland-and-urban-waters-restoration-grants>
- Environmental Education Grants Program, US EPA
 - Supports projects that promote environmental awareness and stewardship and help provide people with skills to protect the environment
 - Applicants must represent at least one of the following types of organizations: local education agency, state education or environmental agency, college or university, non-profit organization, tribal education agency, noncommercial educational broadcasting entity
 - Grant competition closes in January
 - <https://www.epa.gov/education/grants>
- Various Grants, Oregon Office of Emergency Management
 - Emergency Management Performance Grant: makes grants from the Federal government available to state, local, and tribal governments to assist in preparing for all hazards
 - Hazard Mitigation Assistance Grant: Provides funds from the Federal government to assist in hazard mitigation planning, projects, and other activities to reduce vulnerability to hazards
 - Homeland Security Grant Program: Provides funds from the Federal government for planning, organizing, equipment purchasing, training, and exercises for emergencies
 - <https://www.oregon.gov/oem/emresources/Grants/Pages/default.aspx>
- Wildfire Resources, State of Oregon
 - <https://wildfire.oregon.gov/>
- Fire prevention and training funding, multiple agencies (FEMA, USFS, BLM)

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SECTION 5: Contingency Plan

A contingency plan for responding to the loss or substantial reduction of a drinking water source is a required element of a state-approved Drinking Water Protection Plan. Oregon Administrative Rule [OAR 333-061-0057\(5\)](#) specifies that a contingency plan must include the following elements:

1. Inventory/prioritize all threats to the drinking water supply
2. Prioritize water usage
3. Anticipate responses to potential incidents
4. Identify key personnel and develop a notification roster
5. Identify short-term and long-term replacement potable water supplies
6. Identify short-term and long-term conservation measures
7. Provide for plan testing, review, and update
8. Provide for new and ongoing training of appropriate individuals
9. Provide for education of the public
10. Identify logistical and financial resources

These elements are addressed below.

This contingency plan has been developed in coordination with the City of Toledo Emergency Operations Plan (November 2014).

5.1 Threats to the Drinking Water Supply

The City identified numerous threats in its drinking water source areas (see Section 2 of this DWPP and Section 2.1.2 of the City's Emergency Operations Plan [EOP]). Of those identified, the following could cause the potential loss or reduction of a drinking water source:

- Drought
- Wildfire
- Earthquake
- Tsunami
- Severe weather (windstorm, winter storm, flood, landslides/debris flow)
- Water system infrastructure or facility failure (dams)
- Contamination
- Human caused/adversarial threats (sabotage)

In addition to the hazards identified above, hazards that originate in neighboring jurisdictions may create hazard conditions within the City. These hazards include a tsunami on the Oregon coast or a volcanic eruption in the Mt. Hood area. If these occur, the City may be impacted by residents fleeing their cities and seeking shelter in Toledo (See Section 2.1.2.1 in EOP).

5.2 Prioritization of Water Usage

If an emergency results in an insufficient water supply to meet all needs, the City may need to prioritize water use. The prioritization may be as follows:

- Fire protection
- Residential (indoor domestic)
- Schools and commercial
- Parks

- Irrigation (by residential or commercial water customers)

5.3 Responses to Potential Incidents

The City has an all-hazard plan (the EOP) that describes how the City will organize and respond to emergencies and disasters in the community. It is based on, and is compatible with, Federal plans, including Presidential Policy Directive 8 and the National Disaster Recovery Framework; State plans, including the State Emergency Management Plan; Lincoln County plans, including the Lincoln County Multi-jurisdictional Natural Hazard Mitigation Plan; and City of Toledo Plans, including the Toledo Public Works Water System Emergency Operations Plan (See Section 1.5 in EOP).

It contains an Immediate Action Checklist (See page iii in EOP) to initiate the City's response to and support of an emergency incident. It outlines the appropriate City personnel and organizations that can assist with emergency response (local, regional, and State), and details how to declare a state of emergency as needed.

It contains a Basic Plan (See Section 1 in EOP), which provides a framework for emergency operations and information regarding the City's emergency management structure. Incident Annexes that outline the actions to take if a specific type of emergency or disaster occurs are also included in the EOP.

Exhibit 5-1 presents the threats to municipal water supply identified above and the Incident Annex that responds to the threat. Each Incident Annex describes actions to be implemented in response to the incident. Examples of actions include analyzing scope and extent of the incident, communicating with agencies and the public, organizing efforts, documenting information and actions, activating mutual aid agreements, and initiating water curtailment procedures. For the full list of actions, see the Incident Annexes in the Emergency Operations Plan.

Exhibit 5-1. Municipal Water Supply Threats and Corresponding Incident Annex

Threats	Incident Annex
Drought	Drought
Wildfire	Major Fire
Earthquake	Earthquake
Tsunami	Tsunami
Severe Weather (windstorm, winter storm, flood, landslides/debris flow)	Severe weather, Flood
Water system infrastructure or facility failure	Flood, Utility failure
Contamination	Hazardous Materials Incident
Human caused/adversarial threats (sabotage)	Terrorism

The City has a conventional water treatment plant that requires a certified operator. Oregon Health Authority requires the City to have a water treatment plant operations and maintenance manual, which describes protocols for operating and maintaining various components of the water treatment system. This manual is located in the water treatment plant and intended for use by individuals who have some training in operating water treatment plants.

Information about the City's water treatment system and drinking water sampling is available through OHA's Drinking Water Data Online database using the following links:

- System Information: yourwater.oregon.gov/inventory.php?pwsno=00899
- Specific sampling requirements and status: yourwater.oregon.gov/scheduleschems.php?pwsno=00899
- Entry point detects: yourwater.oregon.gov/unconfirmed.php?pwsno=00899

5.4 Key Personnel and Notification Roster

5.4.1 Key Personnel

The key personnel identified in this Contingency Plan as having a role in addressing emergencies is based on the City's Emergency Operations Plan (Immediate Action Checklist, Section 3.2 Emergency Management Organization, Section 4 Roles and Responsibilities in Functional Annexes 1 through 3: Emergency Services, Human Services, and Infrastructure Services).

Under the City of Toledo's Emergency Management Organization (EMO), the City Manager is considered the Emergency Management Director, unless this role has been otherwise delegated. The City Manager may, depending on the size or type of incident, delegate the authority to lead response and recovery actions to other City staff. Additionally, some authority to act in the event of an emergency may already be delegated by ordinance or by practice. As a result, the organizational structure for the City's emergency management program can vary depending upon the location, size, and impact of the incident.

The EMO for the City is divided into two general groups, organized by function: the Executive Group and Emergency Response Agencies.

5.4.1.1 Executive Group

The Executive Group may include representation from each City Department during an event. The Executive Group is responsible for the activities conducted within its jurisdiction. The members of the group include both elected and appointed executives with legal responsibilities (see Section 3.2.1 in EOP).

Mayor and City Council – During emergencies, the Mayor and City Council are responsible for encouraging citizen involvement and citizen assistance, issuing policy statements as needed to support actions and activities of recovery and response efforts, and providing the political contact needed for visiting State and Federal officials. In the event that declaration of emergency is needed, the Mayor will initiate and terminate the State of Emergency through a declaration ratified by the council (See Section 3.2.1 in EOP).

Emergency Management Director – The City Manager serves as Emergency Management Director and is responsible for continuity of government, overall direction of City emergency operations, and dissemination of public information. The City Manager has been designated as the City's Emergency Program Director with ultimate authority for direction and control of the City's EMO (See Section 3.2.1.2 in EOP).

Emergency Management Coordinator – The Fire Chief serves as the Emergency Management Coordinator for the City. The EMC has the day-to-day authority and responsibility for overseeing emergency management programs and activities. The EMC works with the EMD and Executive Group to ensure that there are unified objectives with regard to the City's emergency plans and activities. The EMC has authority to activate the EOC See Section 3.2.1.3 in EOP).

City Department Heads – Department and agency heads collaborate with the Executive Group during development of local emergency plans and provide key response resources (See Section 3.2.1.4 in EOP).

5.4.1.2 Emergency Response Agencies

- **Public Safety Answering Point (911 Dispatch)**
 - Toledo Dispatch Center
- **Toledo Fire Department (541) 336-3311**
- **Toledo Police Department (541) 336-5555**
- **Public Works Department (541) 336-2247**
- **Lincoln County Emergency Management (541) 265-4199**
- **OHA – Drinking Water Services (971) 673-0405**
- **DEQ – Drinking Water Program (503) 229-5954**
- **Other Organizations**
 - Organizations such as the Oregon Department of Transportation, the Oregon State Police, local ambulance service, and local hospitals may assign liaisons as points of contact within the City EOC for coordination and communication (from FA 1-6).

5.4.1.3 Tasked Agencies

Functional Annexes (FA) 1 through 3 describe agencies tasked with responding to different types of threats to the community. Section 4 in each FA describes roles and responsibilities, and Section 5 describes the concept of operations.

FA 1. Emergency Services

This annex outlines the basic City emergency services necessary to respond to a disaster (from page FA 1-1).

Primary Agencies	Emergency Management Director/Coordinator Police Department Fire Department Toledo Dispatch Center Local Emergency Medical Service Providers
Supporting Agencies	Public Works Department Lincoln County Emergency Management Lincoln County Sheriff's Office Lincoln County Health and Human Services Department Ambulance Providers: Pacific West Ambulance and Central Coast Ambulance

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FA 2. Human Services

This annex addresses emergencies that require evacuation of people and sheltering or care (from FA 2-1).

Primary Agencies	Emergency Management Director/Coordinator American Red Cross
Supporting Agencies	Fire Department Police Department Lincoln County School District Lincoln County Emergency Management Lincoln County Health and Human Services Department County Sheriff's Office (Animal Services) Local Community and Faith Based Organizations Lincoln County Animal Shelter (located in Newport)

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FA 3. Infrastructure Services

This annex provides information regarding the coordination of infrastructure, public works, damage assessment, and engineering services during all phases of emergency management (from FA 3-1).

Primary Agencies	Public Works Department
Supporting Agencies	Emergency Management Director/Coordinator Fire Department Police Department Lincoln County Department of Public Works Department Oregon Department of Transportation Local Utilities: Water: City of Toledo Sewer: City of Toledo Electricity: Central Lincoln Public Utility District Gas: Northwest Natural Gas Telephone(s): CenturyLink

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Section 3 Situation and Assumptions (FA 3-2) states that the Public Works Department's response operations will include assisting law enforcement and fire services in traffic control and rescue operations and clearing and maintaining critical lifeline routes. Also states that the Public Works Department will generally be assigned or assume the lead agency role in a natural hazards event, such as a flood, windstorm, or earthquake response.

Section 4 Roles and Responsibilities (FA 3-2) describes the activities and responsibilities of the Emergency Management Director and/or Coordinator, Public Works Department, Fire Department, Police Department, and local utilities.

Section 5 Concept of Operations (FA 3-5) describes coordination activities. The City Public Works Department is the lead agency for infrastructure operations and solid waste (debris) management. Public Works will focus on restoring vital lifeline systems to the community, with an emphasis on critical roads. Public Works will also focus on supporting law enforcement, fire, and search and rescue services with evacuation and traffic control capabilities. Other operational priorities include, but are not limited to the following:

- Damage assessment
- Stabilization of damaged public and private structures to facilitate certain rescue and/or protect public's health and safety.
- Repair and restoration of damaged public systems (e.g., water, wastewater, and stormwater systems)
- Coordination with utility restoration operations (power, gas, and telecommunications)
- Prioritization of efforts to restore, repair, and mitigate infrastructure owned by the City and County

Currently, the City's Public Works Department consists of a Public Works Director who manages public works activities and staff, including a water treatment plant operator. The Public Works Department can be contacted by phone at 541-336-2247 extension 2070, including during nonbusiness hours and in the event of emergencies. After hours emergencies are routed through the Police Dispatch to proper personnel. ~~A contact list of personnel is also located at [placeholder — will be added].~~ Public Works Department contact information is available to the public on the City's website.

5.5 Short-term and Long-term Replacement Potable Water Supplies

5.5.1 Short-term Actions

The City has two water sources that are used during different seasons, as described previously. Depending on the time of year when an emergency occurs and the current water quality conditions in the source not being used, the City may be able to temporarily switch to the alternate source if supply is reduced or unavailable. The City's Water Curtailment Plan outlines further proactive measures that the City will take to reduce demand in response to the reduction or loss of water supply. The Water Curtailment Plan is a required component in the City's Water Management Conservation Plan (WMCP). The Water Curtailment Plan consists of four stages of water curtailment to be invoked in the event of a water supply shortage. These stages could be initiated and implemented in progressive steps, or a later stage could be implemented directly. For each stage of water curtailment, it identifies the conditions or events triggering the stage of curtailment and the measures that the City will implement in response.

Stages 1 through 3 describe water use restrictions and/or prohibitions aimed at reducing water demand and conserving water. Stage 4 of water curtailment, the most severe phase, describes how the City will proceed in the event that: maximum daily production of the WTP does not meet daily demand and water storage reservoirs fall to 50 percent of capacity; major damage to the water system occurs due to a natural disaster, fire, or criminal act; failure of a critical part of the water system or facility occurs; and/or major contamination of the water supply occurs, including, for example, a contamination event precluding the use of the Siletz River for a prolonged period of time during the peak demand season (from page 4-4 – 4-5 of WMCP). If the City has a short-term loss of water supply lasting a few hours to a few days, the City will depend on its reservoirs.

5.5.2 Long-term Actions

Depending on the water supply emergency, the City may need to switch between its water sources or construct new infrastructure to supply drinking water. Short-term replacement actions would need to continue until long-term actions restore the City's drinking water supply.

5.6 Short-term and Long-term Conservation Measures

The City's Water Curtailment Plan describes water conservation measures required under the different phases of water curtailment (See Section 4 in WMCP).

Stage 1: Water Supply Shortage Warning

Under Stage 1, the City will ask customers to voluntarily decrease indoor and outdoor water use by 10 percent, as well as to postpone new plantings. Voluntary actions include, but are not limited to: reducing outdoor watering, postponing washing outdoor surfaces, and looking for and fixing any indoor leaks.

Stage 2: Moderate Water Supply Shortage

Under Stage 2, the City will ask customers to take one or more of the following voluntary actions to curtail water use: cease washing vehicles at home, cease washing outdoor surfaces, cease filling swimming pools, cease using water to maintain water features, reduce indoor water use by fixing indoor leaks, reduce non-essential water use in commercial/industrial establishments.

The City may inform customers of the following mandatory action to curtail water use: restrict watering lawns, ornamental/landscaping plants, and vegetable gardens to 3 days per week and only before 9 am or after 9 pm.

Stage 3: Severe Water Supply Shortage

Under Stage 3, voluntary water use reduction actions in Stage 2 will become mandatory and the City will implement additional mandatory water use reductions. The City will require that customers implement one or more of the following mandatory actions to curtail water use: no watering of lawns, but customers may hand irrigate ornamental/landscaping plants and vegetables before 9am or after 9pm; no planting of new lawns; cease washing vehicles at home; cease washing outdoor surfaces; cease filling swimming pools; cease using water to maintain water features, except those supporting fish life; cease non-essential water use in commercial/industrial establishments; cease allowing water to run to waste in any gutter or drain

The City will limit hydrant and water main flushing to emergencies under Stage 3.

Stage 4: Critical Water Supply Shortage

Under Stage 4, the City will require that customers implement one or more of the following mandatory actions: restrict indoor water use to only water uses essential for public health and safety; cease outdoor watering; cease water use in commercial/industrial establishments except for critical functions, such as fire protection.

5.7 Plan Testing, Review, and Update

To stay coordinated with the City's EOP, this Contingency Plan will be reviewed and updated when changes to emergency operations occur, which happens when a new senior elected or appointed official takes office or at a minimum of every five years to comply with State requirements.

5.8 Personnel Training

Personnel training is outlined in Section 6.2 in the City of Toledo's Emergency Operations Plan. This section outlines training essential response staff and supporting personnel to incorporate Incident Command System (ICS)/ National Incident Management System (NIMS) concepts in all facets of an emergency.

The City's Emergency Management Coordinator organizes training for City personnel and encourages them to participate in training sessions hosted by other agencies, organizations, and jurisdictions throughout the region. Current training and operational requirements set forth under NIMS have been adopted and implemented by the City. The Emergency Management Coordinator maintains records and lists of training received by City personnel (See Section 6.2 in EOP).

The City's training program includes conducting exercises annually to test and evaluate the Emergency Operations Plan. The City coordinates with agencies to conduct joint exercises that include a variety of tabletop exercises, drills, functional exercises, and full-scale exercises. The Emergency Management Coordinator will work with other City/County departments and agencies to identify and implement corrective actions and mitigation measures, based on exercises conducted through Emergency Management. Additionally, the Emergency Management Coordinator will conduct a review with exercise participants after each exercise. Reviews and reporting will also be facilitated after an actual disaster, which will include all agencies involved in the emergency response. The review following an actual incident will describe actions taken, identify equipment shortcomings and strengths, and recommend ways to improve operational readiness (See Section 6.4 in EOP).

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5.9 Public Education

The City educates the public about threats, disasters, and what to do when an emergency occurs. The City maintains an active community preparedness program and recognizes that citizen preparedness and education are essential components of the City's overall readiness (See Section 6.5 in EOP). This information is housed in the Emergency Preparedness section of the City's website at <https://www.cityoftoledo.org/community/page/emergency-preparedness-0>. Information provided on the website includes resources for building an emergency preparedness kit, materials for preparing homes for fires, electrical and other related hazards, and materials to help prepare for the Cascadia Earthquake. The City also communicates with water customers via billing messages and other public outreach efforts.

5.10 Logistical and Financial Resources

Funding and maintaining this Contingency Plan along with an EMO are priorities for the City as they ensure the City's ability to respond to and recover from disasters that (Section 6.6 in EMO). In accordance with the Emergency Operations Plan, the Emergency Manager will work with City Council and community stakeholders to:

- Identify funding sources for emergency management programs, personnel, and equipment.
- Ensure that Council is informed of progress toward building emergency response and recovery capabilities and is aware of gaps to be addressed.
- Leverage partnerships with local, regional, and State partners to maximize use of scarce resources.

Resource requests and emergency/disaster declarations must be submitted by the Emergency Management Director to the County Emergency Manager according to provisions outlined under ORS Chapter 401 (See Section 1.9.1 in the EMO). Assistance from the State and Federal Emergency Management Agency (FEMA) may be available to the City (See Section 1.74 and 1.75 in the EMO). The State evaluates resource requests based on the goals and priorities established by the OEM Director. If the capabilities of the State are not sufficient to meet the requirements as determined by the Governor, federal assistance may be requested. FEMA provides resources, coordination, planning, training, and funding to support State and local jurisdictions when requested by the Governor.

In the case of fire emergencies, the City of Toledo Fire Chief and County Fire Defense Board Chief can contact the State Fire Marshall to mobilize and fund resources (See Section 1.9.1 in the EMO).

If an incident in the City requires major redirection of City fiscal resources, the City Council has authority to adjust budgets and funding priorities (See Section 1.9.2 in EMO).

SECTION 6: Future Water Sources

Drinking water protection planning can be used to identify areas that should be protected now so that they will provide high quality drinking water in the future, if the entity preparing the DWPP anticipates developing additional sources of water supply. The City currently has sufficient water rights for use of water from the Siletz River and the Mill Creek watershed and does not have any plans to seek additional water sources within the planning horizon of this DWPP. Specifically, the City has unused water rights capacity from two existing permits that authorize use of the Siletz River (up to 1.1 cfs under existing Permit S-9370 and up to 4 cfs under existing Permit S-44083), as described in the City's 2017 Water Management and Conservation Plan. In addition, water demand will likely decrease now that Seal Rock Water District has switched to Beaver Creek as its primary water source. However, Seal Rock Water District still relies on water from the City of Toledo as a backup water supply, such as in the event of a major Beaver Creek water infrastructure or water quality issue.

Currently, the need to plan for development of future water sources appears unnecessary. Nevertheless, implementing water conservation remains a critical, ongoing activity to help the City reduce water demand and prolong the City's ability to rely solely on its current water sources.



DRAFT

City of Toledo

Drinking Water Protection Plan

May 2023



Prepared by:

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Appendices

Appendix A	Public Outreach Examples
Appendix B	City of Toledo 2016 Source Water Assessment

Abbreviations and Acronyms

AWWA	American Water Works Association
BLM	Bureau of Land Management
CREP	Conservation Reserve Enhancement Program
DEQ	Department of Environmental Quality
DOGAMI	Department of Geology and Mineral Industries
DWPP	Drinking Water Protection Plan
DWSPF	Drinking Water Source Protection Fund
EMO	Emergency Management Organization
EQIP	Environmental Quality Incentives Program
FA	Functional Annex
FEMA	Federal Emergency Management Agency
FERNS	Forest Activity Electronic Reporting and Notification System
ICS	Incident Command System
NIMS	National Incident Management System
NRCS	Natural Resources Conservation Service
NTU	Nephelometric Turbidity Unit
NWQI	National Water Quality Initiative
OAT	Oregon Agricultural Trust
ODA	Oregon Department of Agriculture
ODF	Oregon Department of Forestry
ODOT	Oregon Department of Transportation
OHA	Oregon Health Authority
OWEB	Oregon Watershed Enhancement Board
PLLW	People for Lincoln Land and Waters
SWA	Source Water Assessment
SWCD	Soil and Water Conservation District
USFS	United States Forest Service
WMCP	Water Management and Conservation Plan

SECTION 1: Introduction

1.1 Background and Goals

Water quality standards are in place to ensure that communities have access to clean and safe drinking water sources. Protecting drinking water sources from potential contaminant sources helps reduce water treatment costs and safeguards public health. The 1996 amendments to the federal Safe Drinking Water Act established new requirements and allocated resources to the Oregon Department of Environmental Quality (DEQ) and Oregon Health Authority (OHA) to provide communities with drinking water protection assistance. In Oregon, local jurisdictions can voluntarily develop Drinking Water Protection Plans (DWPPs) outlining management strategies to protect their water sources. The approval process for these plans is administered by DEQ for surface water and OHA for groundwater sources. This DWPP provides a framework for the City of Toledo (City) to address risks to its drinking water sources while meeting the requirements for state approval.

The primary goal of this DWPP is to protect the City's drinking water sources by identifying current and potential sources of contamination in the source water areas and presenting strategies for eliminating or minimizing those risks. The DWPP includes a detailed implementation plan to carry out the selected strategies and a contingency plan describing actions to be taken if a current water source becomes unavailable.

1.2 City of Toledo Source Water Areas

Established in 1866, the City of Toledo is located on the Yaquina River approximately 7 miles inland from the Pacific Ocean. The City's population was 3,650 according to the 2022 population estimate from Portland State University's Population Research Center. In addition to providing water service within city limits, the City's water system serves 71 residential and 6 commercial connections outside city limits and provides wholesale water to Seal Rock Water District and Wright Creek Water District.

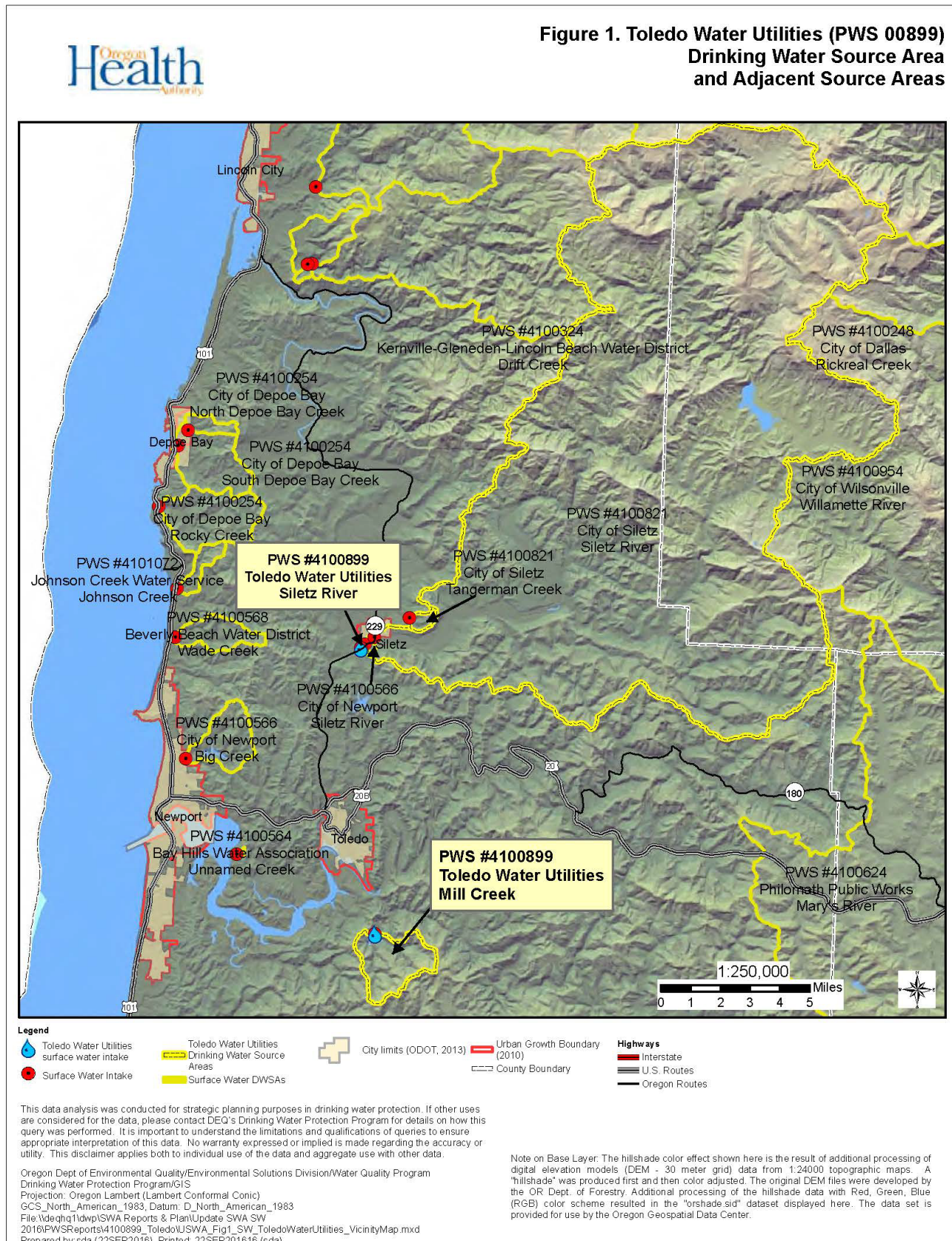
Toledo's water supply sources are the Mill Creek watershed and the Siletz River. Mill Creek is a tributary of the Yaquina River. Water from Mill Creek is primarily used in winter and spring when there is high turbidity in the Siletz River, and water from the Siletz River is used in summer and fall when streamflows in Mill Creek are low and algal blooms often occur in Mill Creek Reservoir. Both the Mill Creek and Siletz River drinking water source areas lie entirely outside of the City of Toledo.

The City's water supply from the Mill Creek watershed includes natural flow from Mill Creek and an unnamed branch of Mill Creek and released stored water from the City-owned Mill Creek Reservoir, all of which are diverted at the Mill Creek Reservoir intake. The drinking water source area within the Mill Creek watershed encompasses 4.15 square miles and is primarily forested. The lower Mill Creek watershed is owned by the City, and the upper watershed includes US Forest Service land and private industrial forestland. The entire watershed is in Lincoln County.

The City's Siletz River intake is located at approximately River Mile 40 near the City of Siletz. The Cities of Newport and Siletz have public water system intakes on the Siletz River upstream of Toledo's intake. The Siletz River drinking water source area is much larger than the Mill Creek watershed, covering about 204 square miles. Approximately 75 percent of the watershed is private industrial forestland, with additional agricultural lands, rural residential development, tribal lands, Bureau of Land Management lands, State Forest, and other state-owned lands. The drinking water source area within the Siletz River watershed is located in Lincoln County and Polk County. Exhibit 1-1 presents a map of the City's drinking water source areas, and Exhibit 1-2 presents a table summarizing key features of the City's water rights. More detailed

information on the City's water rights can be found in the City's 2017 Water Management and Conservation Plan.

Exhibit 1-1. Map of Drinking Water Source Areas



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Exhibit 1-2. Water Rights Held by the City of Toledo

Source	Application	Permit	Certificate	Priority Date	Type of Use	Authorized Rate or Volume	Comments
Mill Creek	S-1197	S-709	905	1/14/1911	Domestic Use	5.0 cfs	
Mill Creek	S-6531	S-4085	9040	5/5/1919	Domestic Supply	10.0 cfs	
Unnamed branch of Mill Creek	S-9958	S-7191	9047	12/22/1924	Municipal	0.75 cfs	
Mill Creek	S-9959	S-7192	9048	12/22/1924	Municipal	0.75 cfs	
Mill Creek	R-33458	R-5132	42193	11/9/1959	Municipal	250.0 AF	
Mill Creek Reservoir	S-33459	S-33124	42194	11/9/1959	Municipal	250.0 AF	
Siletz River	S-16771	S-12553	93488	2/12/1937	Municipal	1.75 cfs	
Siletz River	S-9834	S-9370	93489	10/24/1929	Municipal, including manufacturing and domestic	1.34 cfs	
Siletz River	S-9834	S-9370		10/24/1929	Municipal, including manufacturing and domestic	2.66 cfs	Use of the permit currently limited to 1.65 cfs. ¹
Siletz River	S-58445	S-44083		3/23/1979	Municipal	4.0 cfs	Use of the permit currently limited to 0.0 cfs. ¹

cfs = cubic feet per second

AF = acre-feet

¹ Access to additional water under the permit is granted by the Oregon Water Resources Department in a final order approving the City's Water Management and Conservation Plan.

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1.3 Drinking Water Protection Plan Development

1.3.1 Source Water Assessment

In 2002, DEQ developed a Source Water Assessment (SWA) for the City of Toledo's drinking water source areas to fulfill one of the new requirements of the amended Safe Drinking Water Act. The SWA includes a delineation of the source area supplying the water system, identification of areas that may be more susceptible to contamination, and an inventory of potential contaminant sources. An updated SWA was provided by DEQ in 2016. The updated SWA includes the map of drinking water source areas reprinted above along with maps showing soil erosion potential, areas prone to landslides, local land uses and ownership, and potential anthropogenic sources of pollution. The SWA provided a robust foundation for the risk assessment described further in Section 2.

1.3.2 Plan Development Process

The City of Toledo was awarded a grant from OHA in 2021 to develop a DWPP, and plan development began with a kickoff meeting in January 2022. A team of local stakeholders and technical experts was convened, representing local residents and organizations, the Confederated Tribes of the Siletz Indians, forestry, agriculture, government agencies (local, state, and federal), and conservation groups. DWPP development was facilitated by the City's selected consultant, GSI Water Solutions, Inc. and included multiple opportunities and methods for public engagement. The Toledo City Council reviewed and approved the DWPP on [placeholder date] and submitted the Final Draft DWPP to DEQ and OHA for approval on [placeholder date]. Exhibit 1-3 lists the DWPP Team members and their affiliations.

Exhibit 1-3. Drinking Water Protection Plan Team Members

Name	Affiliation
Betty Kamikawa	City of Toledo
Judy Richter	City of Toledo
Bill Zuspan	City of Toledo
Tyler Clouse	Lincoln Soil and Water Conservation District
Jeff DeRoss	Hancock
Matthew Fiorito	Weyerhaeuser
Alan Fujishin	Gibson Farms
Mike Broili	MidCoast Watersheds Council
Mike Kennedy	Confederated Tribes of the Siletz Indians
Maria Daugherty	American Aquifers
Clare Paul	City of Newport
Kaety Jacobson	Lincoln County
Debbie Scacco	Port of Toledo
Matt Thomas	Oregon Department of Forestry
Amy Bleekman	Oregon Health Authority
John Spangler	Oregon Department of Fish and Wildlife
Christine Clapp	Oregon Department of Fish and Wildlife
Cheryl Hummon	Oregon Department of Agriculture
Olivia Jasper	Oregon Department of Agriculture
Nikki Hendricks	Oregon Water Resources Department
Jacqueline Fern	Oregon Department of Environmental Quality
Laura Johnson	Oregon Department of Environmental Quality
Douglass Fitting	Bureau of Land Management
Kacey Largent	US Forest Service

1.3.3 Public Outreach and Engagement

Public engagement was an integral part of the process and included in-person and virtual meetings as well as opportunities to provide input on risks and proposed strategies and review draft planning documents. Feedback from the DWPP Team and the community was an important source of local knowledge to verify and refine the inventory of potential contaminant sources and to tailor protection strategies to suit local conditions and preferences. In June 2022, a public meeting was held with in-person and remote options to discuss potential contaminant sources identified in the SWA and by the DWPP Team, to evaluate the priority rankings of those risks by likelihood of occurrence and severity of the threat to drinking water quality, and to solicit local knowledge of any contaminant risks not previously identified. A second public meeting was held in March 2023 focused on the proposed strategies for drinking water source area protection, implementation plans, and the contingency plan for the use of other water sources. Meeting recordings were available online for at least one week after each meeting for those unable to attend. Comments were provided during the meetings and via phone and email. The draft DWPP was made available for public comment, and feedback was incorporated into the final plan. Public meetings were advertised through articles in the City newsletter, on the City's website, messages in water bills, flyers posted around the community, and through DWPP Team communication with stakeholders in the sectors they represented. Appendix A contains examples of public outreach materials.

1.4 Organization of the Plan

The remainder of this plan is organized into the following sections:

- **Section 2:** Risk Assessment
- **Section 3:** Strategies to Address Risks
- **Section 4:** Implementation Plan
- **Section 5:** Contingency Plan
- **Section 6:** Future Water Sources

SECTION 2: Risk Assessment

2.1 Introduction to Risk Assessment

DEQ initially prepared a SWA for the City's public water system, Toledo Water Utilities, in 2002. This SWA included a delineation of the watersheds contributing to the City's drinking water sources, identification of sensitive areas, an inventory of potential contaminant sources, and a susceptibility analysis. Sensitive areas include a 1000-foot buffer around water bodies, areas with high soil erosion potential, highly permeable soils where potential contaminants would infiltrate more rapidly, and areas with high runoff potential where contaminants and sediments could be more easily transported to water bodies. The susceptibility analysis integrated the contaminant inventory with the mapping of sensitive areas to assess the potential for pollution within the watershed to reach the water system intake. DEQ developed an updated SWA for the City in 2016 that includes additional mapping of sensitive areas, an updated potential contaminant source inventory, and a variety of resources for developing programs to support source water protection. Appendix B contains the 2016 updated SWA.

The Toledo DWPP Team used updated SWA as a starting point to evaluate identified sites and land uses listed as potential sources of contamination. The Team then supplemented this list with additional risks identified through their expertise and local knowledge. After identifying a spectrum of potential risks, the Team conducted a prioritization process. First, every risk was assigned two ratings, each on a scale of 1-5, describing the likelihood of occurrence and the consequence or severity of impact if it does occur. Using the prioritization matrix in Exhibit 2-1, risks were classified into high, medium, or low priority. Information sources for the ratings included a DEQ-provided guidance document on water quality impacts from specific contaminant sources as well as the Team's expertise and knowledge of local conditions, such as common agricultural and forestry practices in the area. Next, the City held a public meeting with in-person and virtual options in June 2022 to present the risks identified and prioritized and to expand and refine the risk assessment and prioritization with public input.

Exhibit 2-1. Risk Prioritization Matrix

Likelihood	Consequence				
	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Severe (5)
Almost certain (5)	Medium	Medium	High	High	High
Likely (4)	Low	Medium	Medium	High	High
Possible (3)	Low	Medium	Medium	Medium	High
Unlikely (2)	Low	Low	Medium	Medium	Medium
Very unlikely (1)	Low	Low	Low	Low	Medium

The final risk assessment incorporating DWPP Team expertise and public feedback is shown below. Risks are divided into eight general categories with associated subcategories:

- Biological and Geological Processes
 - Drought and low streamflows
 - Earthquakes
 - Wildfire

- Severe storms
- Insect and fungal outbreaks
- Aquatic invasive species
- Grazing wild animals
- Highly erodible soils
- Forestry
 - Clearcuts
 - Non-clearcut logging and thinning
 - Chemical applications
 - Prescribed fire
 - Riparian impacts
- Transportation
 - Roads and stream crossings
- Municipal
 - Aging infrastructure
 - Vandalism, sabotage, and cybersecurity concerns
 - Land application of treated wastewater
 - Stormwater
- Agriculture
 - Grazing domestic animals
 - Pesticides and fertilizers
 - Irrigated crops
 - Riparian impacts
- Residential
 - Rural development and property management
 - Septic system
- Industrial
 - Wood and pulp mills
 - Mines and quarries
- Recreation
 - Motorized boats

Sections 2.2 through 2.5 describe the risks identified that are applicable to both of the City's drinking water sources, Mill Creek and the Siletz River. Each risk is presented with its ranked risk level (high, medium, low) followed by its consequence (1-5) and likelihood (1-5), with 1 being the lowest and 5 being the highest likelihood or consequence. Section 2.6 describes additional risks identified solely within the Siletz River watershed. Section 2.7 outlines the process for identifying and addressing new risks that may arise within the source watersheds due to new activities or changes in intensity or spatial patterns of existing activities.

2.2 Biological and Geological Processes

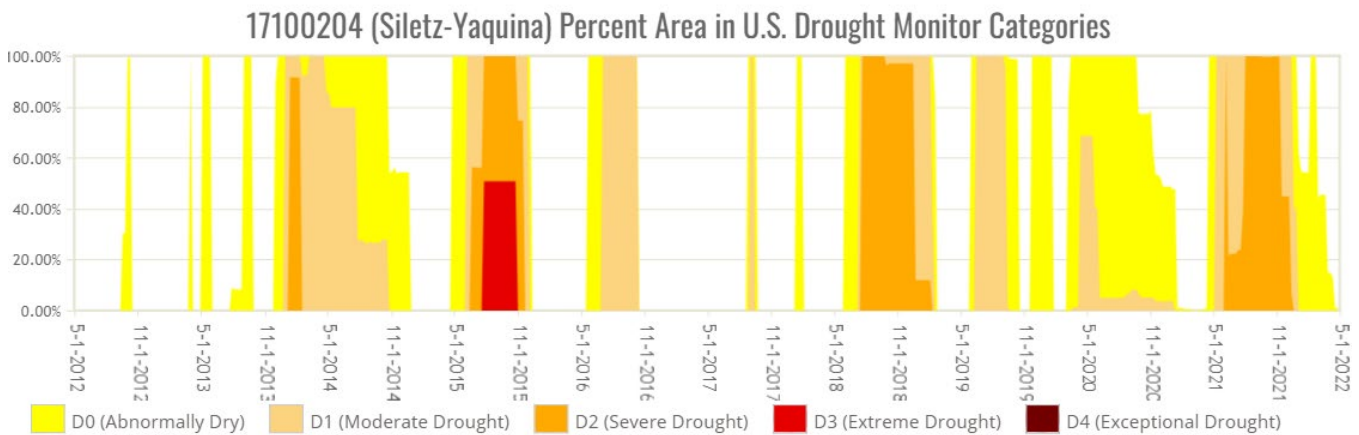
Water quality can be affected by natural and anthropogenic processes and activities. Consideration of the effects of biological and geological processes that may occur within the source watersheds helps with disaster preparedness and increases the resilience of the public drinking water system.

2.2.1 Drought and Low Flows (high: 5, 5)

Low flows exacerbate water quality problems associated with high stream temperatures, concentration of pollutants, low dissolved oxygen, algae growth, and high bacteria counts. The Siletz River is listed under the Clean Water Act 303(d) list as water quality limited for dissolved oxygen, high summer temperature,

turbidity, and flow modification. Mill Creek is also listed as water quality limited for temperature. While lower streamflows in the summer are not unusual, droughts can intensify water quality impacts and extend them throughout the year. As shown in Exhibit 2-2 below, the Siletz-Yaquina basin containing both of the City's source watersheds has experienced moderate to extreme drought conditions multiple times over the past 10 years. Climate change projections in the Pacific Northwest include reduced summer rainfall and increased climatic variability and extremes, including longer and more intense droughts.

Exhibit 2-2. Drought Conditions 2012-2022



Low streamflows coinciding with high demand may present challenges for drinking water supply. Fish and other aquatic life are affected by the water quantity and quality concerns raised by low streamflows, and water supply could potentially be further limited if required to protect streamflows for fish. Under the prior appropriation system, “junior” (newer) water rights may be curtailed or regulated off if “senior” (older) water right holders’ needs are not met. Mill Creek has an instream water right (Certificate 73142) downstream of the City’s intake on Mill Creek Reservoir. The City’s water rights on Mill Creek are senior to the instream water right, so it is not at risk of curtailment of the Mill Creek water supply. There are two instream water rights on the reach of the Siletz River where the City’s intake is located (Certificates 67712 and 67713). The City holds four water rights for the use of water from the Siletz River, three of which are senior to the instream water rights. The fourth water right is junior to the instream water rights and would not be available when streamflows are less than the flows protected by the instream rights, which often occurs in August, September, and October. The City’s junior water right and one of the City’s three senior water rights also contain “fish persistence” conditions requiring reductions in the use of water when target streamflows to protect listed fish species are not met.

2.2.2 Earthquakes (high: 5, 3)

The magnitude, timing, and location of an earthquake would all affect the potential level of damage to water system infrastructure. Infrastructure that may be impacted includes water intakes, transmission and distribution pipelines, storage structures, and water treatment facilities.

2.2.3 Wildfire (medium: 5, 2)

Immediate impacts of wildfire could include damage to water system infrastructure and contamination of drinking water sources with ash and toxic substances released from burning buildings, appliances, vehicles, plastics, and stored hazardous materials. Firefighting chemicals also have the potential to contaminate drinking water sources. Wildfires could remove vegetation and damage soils, which could cause medium- to long-term impacts, such as increased runoff and erosion in the watershed, high turbidity in water sources,

and decreased water infiltration and soil moisture retention. These effects could be mitigated or amplified depending on the location of the fire and associated landscape characteristics, such as steep slopes, soil erosion potential, and proximity to water bodies. Climate change is likely to increase the risk of wildfire in the future.

2.2.4 Severe Storms (high: 3, 5)

Heavy precipitation events that result in rapid runoff or flooding can cause erosion, increasing sedimentation and stream turbidity. This risk may be amplified by land-use practices, such as timber harvest, or by landscape characteristics, such as previously burned areas. Ice storms and windstorms can cause loss of trees and riparian vegetation, damage water infrastructure, and lead to widespread power outages affecting water treatment and distribution. Climate change in the Pacific Northwest region is projected to increase the likelihood of precipitation extremes, including the magnitude of severe storm events during the winter.

While severe storms could occur in both source watersheds, the Siletz River source area contains previously mapped landslide deposits as well as having 34 percent of its tributary stream miles in areas with highly erodible soils. The Siletz River is already more prone to high turbidity events, leading the City to switch to the Mill Creek water source during the winter and spring.

2.2.5 Insect and Fungal Outbreaks (low: 1, 1)

Although insect outbreaks and fungal infection of trees are not currently common in the area, climate change could affect the probability and severity of these events. Outbreaks of bark beetles in forested areas of other basins have led to widespread loss of trees, increasing the risk of erosion and contributing to wildfire risk through fuel loading. The emerald ash borer has not yet been found in Lincoln County but has recently been detected in Oregon and could have a significant impact on ash trees in riparian areas.

2.2.6 Aquatic Invasive Species (low: 3, 1)

Aquatic invasive organisms, such as mollusks, can become established on water intakes, diversion screens, pumps, and in pipelines, which can clog and damage municipal water infrastructure.

2.2.7 Grazing Wild Animals (low: 1, 1)

Grazing wild animals typically present a lower risk than concentrated grazing domestic animals. Nonetheless, very high populations of grazing wild animals or those whose movement is restricted by habitat fragmentation could potentially overgraze or contribute excessive nutrient loading to drinking water source areas through their wastes.

2.3 Forestry

The City's drinking water source watersheds contain substantial forested areas. Within the Mill Creek watershed, 63 percent of the land area is part of the Siuslaw National Forest owned and managed by the US Forest Service, and 23 percent of the land area is under private industrial forest ownership. In the Siletz River watershed, 75 percent of the land is private industrial forest, 5 percent is state forest, and 10 percent is owned by the Bureau of Land Management.

2.3.1 Clearcuts (Siletz River—high: 3, 5; Mill Creek—medium: 3, 3)

Certain forestry practices, such as clearcutting, may increase erosion in the watershed, leading to higher stream turbidity from sedimentation. This risk may be increased if clearcuts are situated in areas with highly erodible soil types. Increased runoff may reduce infiltration of precipitation into groundwater, contributing to

lower streamflows at certain times of year. Modern forestry practices are less likely to cause water quality and aquatic habitat impacts compared to historical practices. Nonetheless, even updated regulatory requirements do not explicitly address drinking water as a beneficial use, so sedimentation and streamflow effects from timber harvest may still pose risks to the City's drinking water sources.

2.3.2 Non-Clearcut Logging and Thinning (Siletz River—medium: 2, 5; Mill Creek—medium: 2, 3)

Non-clearcut timber harvest practices can result in erosion and impact water quality, though these impacts are generally less than those resulting from clearcut timber harvest practices. Although Oregon's Forest Practices Act did not previously require forested riparian buffers for small non-fish-bearing streams, the Oregon Department of Forestry is currently developing new rules to implement the Private Forest Accord that will include recommended changes to the Forest Practices Act. Wider stream buffers are anticipated to be required for large landowners by July 2023. In 2024, additional new rules will go into effect, such as new design standards for forest roads, additional protections for non-fish-bearing streams, and increased retention of trees on steep slopes. While these changes are anticipated to improve water quality and better protect salmonid habitat, development of the Private Forest Accord did not specifically include consideration of drinking water as a beneficial use. Therefore, these requirements and other modern forestry practices are expected to result in fewer water quality impacts compared with historical practices but would not entirely eliminate risks to the City's water sources.

2.3.3 Chemical Applications (low: 1, 2)

Pesticides, such as insecticides, fungicides, and herbicides, may be applied during reforestation. Over-application, improper handling, or aerial spraying could lead to contamination of drinking water sources. The application method and timing can raise risks or mitigate them. For example, the risk may be higher when applying pesticides before precipitation events or at times of year when breakdown by soil microorganisms is slower. Landscape conditions such as steep slopes and areas with limited vegetation also affect the level of risk. In the City's drinking water source watersheds, chemical applications are usually less frequent, reducing the risk. Herbicide application on most silviculture sites in the area is typically conducted 0-3 times over about 40 years.

2.3.4 Prescribed Fire (low: 1, 3)

Localized burning of slash piles is more common in this region than prescribed broadcast burns. Slash pile burning must be properly managed to prevent erosion, runoff, and sedimentation of streams.

2.3.5 Riparian Impacts (medium: 2, 3)

Timber harvest practices that reduce streamside vegetation or change the riparian species mix can increase the potential for erosion of streambanks. Loss of streamside shading elevates stream temperatures and reduces dissolved oxygen, increasing the risk of algae growth and higher bacteria counts. As part of the Private Forest Accord, SB 1501 has increased riparian buffer zones based on stream classifications and has added protections for non-fish-bearing streams.

2.4 Transportation

Road building, maintenance, and usage may increase erosion and stream turbidity. Community road networks, highways, and forest roads share some elements of risk while being differentiated in other ways. Attention to proper siting and construction techniques can reduce these risks.

2.4.1 Roads and Stream Crossings (medium: 4, 3)

Vehicle usage along roads and highways in the source watersheds is accompanied by the risk of leaks or spills of petroleum products or any potentially hazardous materials being transported. This is a particular concern at stream crossings, where a spill could quickly enter water bodies. Roadside vegetation management may include the use of herbicides. Vegetation removal and soil disturbance for the construction of new roads, including forest access roads, may lead to the erosion and sedimentation risks mentioned above. The risk of sedimentation is increased by undersized and failing culverts, inadequately maintained roads, and road density exceeding two miles of road per square miles of watershed. High road densities occur throughout the Siletz River source watershed.

Wet weather haul by loaded logging trucks at stream crossings on native surface and gravel roads can be a chronic source of increased sediment delivery and turbidity. Inadequate gravel depth, lack of road surface drainage and maintenance, and connectivity to inside ditches can all exacerbate this risk. Appropriate construction and maintenance practices can reduce these risks, and unused forest roads may need to be decommissioned to prevent erosion and other impacts.

2.5 Municipal

Well-planned municipal property management practices can protect infrastructure, streams, and ecosystems. In the Siletz River watershed, the City owns the parcels of land surrounding the water intake near the City of Siletz. The City owns 14 percent of the Mill Creek watershed, including the lower watershed area and Mill Creek Reservoir.

2.5.1 Aging Infrastructure (medium: 3, 4)

Aging municipal infrastructure increases the chances of failures that could impact the drinking water supply. Portions of the City's Mill Creek water system infrastructure were built in the 1960s and are now past their expected design life. The City has projects underway and plans to upgrade the Mill Creek water system infrastructure, including replacement of the Mill Creek raw water line. Most of the Siletz River water system infrastructure has been replaced or upgraded more recently. The Toledo Water Treatment Plant was constructed in 1976 and is generally in good condition. Some components of the water treatment system have been replaced or upgraded over the years, and others are past their design life and may need repairs or eventual replacement. For example, the concrete clearwell was built in 1938 and shows signs of cracks and minor leakage.

2.5.2 Vandalism, Sabotage, and Cybersecurity Concerns (medium: 5, 1)

Vandalism or sabotage of water system infrastructure, such as pipelines or the water treatment plant, could impact the drinking water supply. Cybersecurity has become an increasingly important concern for municipal water suppliers.

2.6 Additional Risks in the Siletz River Watershed

As described previously, the Siletz River watershed is much larger than the Mill Creek watershed, and it contains a more varied mixture of development and land uses. Certain risks were identified by the SWA and the DWPP Team as being a greater concern in this watershed.

2.6.1 Biological and Geological Processes

2.6.1.1 Highly Erodible Soils (high: 3, 5)

Erosion potential of soils is quantified in the original 2002 SWA and the updated 2016 SWA. Soil erosion potential is a combination of the effects of steep slopes and natural soil characteristics that increase the likelihood of soil particle movement caused by rainfall and runoff. Highly erodible soils are more sensitive to ground-disturbing activities, such as road construction, property development, and some timber harvest practices. Large areas of the upper Siletz River watershed contain tributary stream channels in areas with high erosion potential, and therefore, generally contribute to turbidity in the river. There are also some highly erodible soils around small tributaries near the City's intake, which pose a higher risk of sudden turbidity spikes that can challenge the water treatment infrastructure. Riparian vegetation can mitigate the risk of precipitation and wind transporting sediment into the stream, and the Lincoln Soil and Water Conservation District (SWCD) is working on an updated Streamside Vegetation Assessment that would provide more insight into areas of higher and lower risk. The updated assessment is anticipated to be completed by summer 2023.

2.6.2 Agricultural Practices

About 2 percent of the source area in the Siletz River watershed is used for agriculture and falls within the Mid Coast Agricultural Water Quality Management Plan area. The only agricultural activities in the Mill Creek watershed are located downstream of Mill Creek Reservoir and the City's water intake, so they are outside the drinking water source area.

2.6.2.1 Grazing Domestic Animals (medium: 2, 4)

Grazing livestock may contribute to erosion of streambanks and sedimentation of streams by reducing riparian vegetation. Source water contamination may also occur from improper storage and management of animal wastes.

2.6.2.2 Pesticides and Fertilizers (low: 1, 3)

Over-application or improper storage and handling of agricultural chemicals, such as pesticides and fertilizers, could lead to contamination of drinking water sources. Application setbacks and applicator licenses are required for more hazardous chemicals.

2.6.2.3 Irrigated Crops (low: 2, 1)

Excessive irrigation can create runoff and transport of agricultural chemicals and sediment to drinking water sources. Non-irrigated crops are more common in the Siletz River watershed, reducing the probability of contamination.

2.6.2.4 Riparian Impacts (low: 2, 2)

Agricultural practices that reduce streamside vegetation may cause erosion of streambanks and other issues associated with lack of shading and high water temperatures. Oregon Department of Agriculture regulations generally require riparian vegetation buffers where feasible (with some exemptions), but required buffers may not always be in place or sufficient to protect water quality without additional voluntary measures.

2.6.3 Municipal

Additional risks in the Siletz River watershed were identified related to the land application of treated wastewater and management of stormwater in urbanized areas.

2.6.3.1 Land Application of Treated Wastewater (high: 5, 3)

Land application of biosolids from treated wastewater has been conducted in some agricultural areas in the Siletz River watershed for several years. In 2018, community concerns about potential water quality impacts in the Siletz River led to testing of shallow sediments for selected chemicals commonly found in biosolids. No contaminants were detected at that time; however, questions remain regarding the potential need for water quality monitoring for other emerging pollutants of concern.

2.6.3.2 Stormwater (medium: 2, 3)

Stormwater from developed areas may transport pollutants to the City's drinking water. Potential contaminants include pesticides, herbicides, fertilizers, and other landscaping chemicals; grease, oil, antifreeze, and heavy metals from cars; and debris such as trash and pet waste. Large portions of the watershed are undeveloped and unlikely to contribute contaminated stormwater. The City's water intake itself is located south of the City of Siletz in closer proximity to developed areas where stormwater may flow into the river.

2.6.4 Residential

Similar to stormwater impacts from urbanized areas, rural residential development can also potentially contribute contaminants to source areas in a more dispersed manner.

2.6.4.1 Rural Development and Property Management (high: 4, 4)

New construction and associated vegetation removal may cause erosion, increasing stream turbidity. In particular, removal of riparian vegetation can result in streambank erosion with the related water quality impacts discussed previously. Removal or modification of beaver habitat could affect water storage and release that influence summer streamflows, depending on the site location.

Property management practices for new and existing rural development may also affect water sources. Overuse and improper storage or disposal of household and landscaping chemicals may allow contaminants to enter stormwater runoff. Domestic animals, such as chickens and horses, require proper waste management to avoid impacting water quality. Installation of impervious surfaces, such as rooftops, patios, and driveways, can increase runoff of contaminants.

2.6.4.2 Septic Systems (low: 1, 4)

Rural residential development typically relies on septic systems for sanitation. Good siting, proper installation, and conscientious maintenance are needed to prevent leaks and impacts to drinking water. This risk is usually of greater concern to water systems relying on groundwater sources and is a lower risk for surface water systems. The cumulative effects of multiple septic systems closer to the Siletz River could increase the potential for contamination.

2.6.5 Industrial Practices

Although the watershed is not highly industrialized, there are a few industrial land uses that may require careful management to avoid potential water quality impacts.

2.6.5.1 Wood and Pulp Mills (medium: 3, 2)

The 2016 SWA identifies one wood and pulp processing mill in the Siletz River source area upstream of the City's water intake. More recent data from the DWPP Team and local research indicate that this facility now operates as a timber salvage and roofing shingle production operation. While proper handling of chemicals can be a major concern for traditional wood and pulp mills, the current operation of this facility may be a lower risk to water quality.

2.6.5.2 Mines and Quarries (low: 2, 1)

Mill Creek Pit was listed as an active basalt mine in the 2016 SWA, and several other mining operations in the area were listed as closed. Due to the historical prevalence of timber processing activities, there are multiple streams named Mill Creek in the area. The Mill Creek south of Toledo that serves as the City's water source in the winter and spring is a tributary to the Yaquina River, and it is not the same as the Mill Creek near the mining operation, which is a tributary to the Siletz River. Mill Creek Pit is located about 200 feet north of the North Fork of Mill Creek, northeast of Logsden. The site was previously owned by Plum Creek Timberlands, and a 2010 letter to the Oregon Department of Geology and Mineral Industries (DOGAMI) stated the intention to use materials extracted from the quarry solely for forest land management purposes on lands owned by Plum Creek. The land is currently owned by Weyerhaeuser.

Spills, leaks, and leachate from mining operations may introduce chemicals and waste products into source waters. Ground disturbance can also cause erosion and increase turbidity in nearby streams if measures are not taken to protect water quality. One of Mill Creek Pit's permit conditions requires the operator to prevent turbid water from the site from entering nearby water bodies. Aerial images available from DOGAMI show that 0.7 acres of previously mined lands had been reclaimed and revegetated by 2014. Aerial imagery from 2021 shows some mined areas and a wide vegetated buffer between the mine and Mill Creek.

2.6.6 Recreation

The Siletz River and its watershed are used for many outdoor recreational activities, such as boating, hiking, fishing, camping, and birdwatching.

2.6.6.1 Motorized Boats (low: 2, 1)

Motorized boats are allowed on most reaches of the Siletz River. There are two boat launches upstream of the City's water intake in the drinking water source area. Water quality may be affected by chipping paint and leaks or spills of gasoline and oil from boats.

2.7 Identifying and Addressing New Risks

The City will consider new information and emerging risks as they arise. At a minimum, the City will review the risks presented in the DWPP annually and determine whether to adjust implementation of source protection strategies or seek additional information about potential new risks. DEQ reviews Drinking Water Protection Plans approximately every 5 years to evaluate progress toward water source protection and recertify the plan. At this time, the City will determine whether any new potential sources of contamination need to be assessed and whether any changes to management strategies are needed to address changing conditions. Any updates to the SWA provided by DEQ or OHA will also be incorporated into future plan updates and recertification.

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SECTION 3: Strategies to Address Risks

3.1 Introduction to Strategies

The DWPP Team identified strategies to address each of the risks identified in Section 2. Strategies were developed using local knowledge and technical expertise from the DWPP Team, examples of successful drinking water protection efforts by other water providers, and strategy guidance documents developed by DEQ and other agencies. Each risk may be addressed by multiple strategies. The major categories of strategies identified are:

- Public Education and Outreach
- Technical Assistance
- Critical Area Protection
- Municipal Policies and Infrastructure Management
- Pollution Prevention Programs
- Monitoring Programs
- Watershed Restoration

Exhibit 3-1 shows how each of the identified strategies addresses one or more risks in the two drinking water source watersheds. The remainder of Section 3 describes the strategies.

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Exhibit 3-1. Overview of Risks Addressed by Strategy

Risk Category	Specific Risks	Public Education and Outreach	Technical Assistance	Critical Area Protection	Municipal Policies and Infrastructure Management	Pollution Prevention Programs	Monitoring Programs	Watershed Restoration
Biological and Geological Processes	Highly erodible soils		•	•			•	•
	Earthquakes	•			•		•	•
	Drought and low flows	•	•		•			
	Wildfire	•	•		•		•	•
	Severe storms		•		•		•	•
	Insects and fungal infections	•	•				•	•
	Grazing wild animals							•
	Aquatic invasive species	•			•			•
Agriculture	Grazing domestic animals	•	•					
	Chemical applications	•	•			•		
	Irrigated crops	•	•					
	Riparian impacts	•	•					•
Forestry	Clearcuts		•	•			•	•
	Non-clearcut logging		•	•			•	•
	Chemical applications	•	•			•	•	
	Prescribed fire	•	•					
	Riparian impacts	•	•	•				•
Transportation	Roads		•		•	•	•	
Municipal	Stormwater	•	•	•	•	•		•
	Land application	•	•				•	
	Aging infrastructure				•			
	Vandalism and sabotage				•			
Residential	Rural development	•	•		•	•		•
	Septic systems	•	•					
Industrial	Wood and pulp mills	•						
	Mines and quarries	•	•				•	•
Recreation	Motorized boats	•				•	•	

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3.2 Public Education and Outreach

Public education and outreach strategies aim to raise awareness of water quality issues and engage the public in preventing contamination of water sources. Outreach topics will be tailored based on location and audience. Both of the drinking water source watersheds lie outside City jurisdiction, making partnerships with other organizations and agencies in the watersheds a critical aspect of these strategies for outreach to the general public, including residents, agricultural producers, and forestry operations. Partnering with existing programs that recognize watershed-friendly business practices incentivize businesses to take actions that support healthy watersheds and water sources. Within city limits, outreach focused on water conservation can help reduce pressure on water resources.

Exhibit 3-2 shows the focus areas for each risk to be addressed through public education and outreach.

Exhibit 3-2. Public Education and Outreach Focus Areas

Risk Addressed	Source Watersheds Affected	Outreach within Source Watersheds		Outreach within City
		General Public	Businesses	
Earthquakes	Siletz R., Mill Creek			•
Drought and low flows	Siletz R., Mill Creek	•		•
Wildfire	Siletz R., Mill Creek	•		•
Insect and fungal infections	Siletz R., Mill Creek	•		
Aquatic invasive species	Siletz R., Mill Creek	•		
Grazing domestic animals	Siletz R.		•	
Irrigated crops	Siletz R.		•	
Chemical applications (agriculture and forestry)	Siletz R., Mill Creek		•	
Riparian impacts (agriculture and forestry)	Siletz R., Mill Creek		•	
Prescribed burns	Siletz R., Mill Creek		•	
Stormwater	Siletz R.	•		
Land application	Siletz R.	•		
Rural development	Siletz R.	•		
Septic systems	Siletz R.	•		
Wood and pulp mills	Siletz R.		•	
Mines and quarries	Siletz R.		•	
Motorized boats	Siletz R.	•		

3.2.1 Outreach in the Source Watersheds

Outreach in the drinking water source watersheds will focus on pollution prevention and watershed stewardship. The City will explore opportunities to partner with and provide outreach to upstream communities, such as the City of Siletz. Potential topics include: low impact development protocols, disconnecting stormwater systems from wastewater systems, land application, rural development and land management, and car wash best practices to prevent runoff and pollution. During droughts, the City will promote water conservation and awareness of drinking water sources. The City will support natural disaster preparedness education that assists the public in preparing for the impacts of events, such as earthquakes and wildfires, particularly in the context of potential impacts to drinking water sources.

In partnership with Lincoln SWCD, the City will support outreach promoting irrigation efficiency and conservation upgrades for agricultural producers to prevent runoff that could affect water sources.

Education focused on safe management of chemicals used in agriculture and forestry will help ensure that potential contaminants do not reach drinking water sources. The City will provide referrals to DEQ, Lincoln SWCD, and Oregon State University Extension technical assistance programs for protecting water quality.

In the event of aquatic invasive species introduction, insect outbreaks, or fungal infections occurring in the watershed, the City will seek to promote awareness and encourage the public to track and report the spread through resources such as the Oregon Invasive Species Online Hotline (<https://oregoninvasiveshotline.org/>). Efforts to prevent the spread of aquatic invasive species may also benefit from partnerships with the Port of Toledo and Lincoln County Parks, which manages boat launches on the Siletz River.

3.2.1.1 Business Recognition and Outreach

Business recognition programs incentivize businesses to take action to protect the watershed through principles such as low impact development and integrated pest management. Promoting existing programs is likely to be more straightforward and cost-effective than developing a new program. For example, the Salmon Safe certification program protects rivers, watersheds, and water quality through an accreditation process for farmers, developers, and land managers. Similarly, the Newport Chapter of Surfrider Foundation operates the Ocean Friendly Gardens program, which uses environmentally-friendly landscaping methods to prevent water pollution. The City will promote business recognition programs that align well with its drinking water protection efforts.

3.2.2 Outreach within the City

Within its own jurisdiction, the City has multiple opportunities to interact with residents, businesses, and visitors. The City will provide water conservation education related to droughts and low flows, including projected impacts of climate change on water resources. The goals of this outreach are to prevent water waste, reduce pressure on the water sources, and guard against future shortages. This may include participation in national conservation awareness campaigns such as Imagine a Day Without Water. The City will seek to increase awareness of Toledo's water sources and what is being done to protect them, including best practices for pollution prevention. Potential outreach methods include mailers, flyers, newsletter articles, and billing messages. Specialized outreach may be needed to address natural disasters, such as personal disaster preparedness planning, how to receive disaster alerts, and how to find out if there is a boil water order.

3.3 Technical Assistance

Technical assistance may be provided directly by the City or through referrals to entities, such as the MidCoast Watersheds Council, Lincoln SWCD, DEQ, and OSU Extension. Technical assistance will focus on actions to protect water quality.

3.3.1 Sediment Management

Sediment management technical assistance includes techniques for preventing erosion and sediment transport to drinking water source streams. This may include best practices for construction, road maintenance, forestry, agriculture, rural residential land management, and industry. Areas with highly erodible soils, as mapped in the 2002 SWA, and riparian stream buffers will be prioritized. Specialized assistance may be needed following wildfires or severe storms. The City will implement best practices for sediment management in its own public works and construction projects and will provide referrals to appropriate agencies and organizations as needed to provide technical assistance for sediment management.

Proper road maintenance, such as appropriate grading, bridge and culvert work, and roadside vegetation management, can help prevent or minimize delivery of sediment to adjacent waterways. The City will explore potential collaboration with the Oregon Department of Transportation's culvert inspection program for Highway 229 and Highway 410 in the Siletz River watershed. The City will also support and promote technical assistance where available, particularly for activities like wet weather haul during forestry operations. For example, the Bureau of Land Management develops site-specific drainage plans for timber sales to prevent sedimentation and turbidity during wet weather haul at stream crossings.

3.3.2 Nutrient and Chemical Management

The City will provide information and referrals to technical assistance related to prevention of pollution from nutrients and chemicals, such as fertilizers, pet waste, herbicides, pesticides, and oil and grease from vehicles. This may include best practices for agriculture, forestry, home and garden, and roadside vegetation management. Specialized assistance may be provided following wildfires or severe storms. Oregon Department of Agriculture (ODA) regulations are in place to protect water quality, and the Siletz River watershed is a focus area for voluntary pollution prevention practices for agriculture through Lincoln SWCD. The Natural Resources Conservation Service (NRCS) offers manure management technical assistance. Communications and outreach may also focus on understanding the potential impacts of land application of treated wastewater. The City will communicate with the Oregon Department of Forestry (ODF) to understand relevant Forest Management Plans and aerial or other chemical application buffers in drinking water source watersheds. If an insect or fungal outbreak occurs, the City may review existing regulations and promote management strategies that avoid the potential for chemicals to enter waterways.

3.3.3 Septic Systems

The City will provide information and promote the availability of programs designed to financially assist rural residents with septic system repair and replacement, such as those available through Lincoln County and DEQ. Financial assistance may include grants or loans. Programs may also include property owner education about septic system usage, maintenance, and actions to be taken in the event of septic system failure.

3.4 Critical Area Protection

Areas within the drinking water source watersheds are considered "critical areas" when a potential contaminant source or land use, if present in that area, would have a greater likelihood of impacting water quality or water supply. These areas include land with highly erodible soils, steep slopes, riparian lands around the Siletz River and Mill Creek and their tributaries, areas prone to landslides, and areas with high runoff potential due to slow soil infiltration rates. The 2002 SWA prepared by DEQ identifies and maps these sensitive areas. Critical area protection strategies are designed to protect drinking water sources by preventing activities that could pose a threat to water quality.

3.4.1 Land Acquisition and Conservation Easements

The City will explore land acquisition and conservation easement opportunities. Acquiring land or development rights would provide the City with more management authority over activities outside its jurisdiction in critical areas within the source watersheds. Implementing this strategy could require a partnership with a conservation organization or land trust. The City could also assist landowners in critical areas in obtaining conservation easements or deed restrictions for their properties, which could be used to limit activities that would negatively impact the water sources. For example, this strategy could be used to prevent or carefully manage activities, such as timber harvest or rural residential development.

The City owns nearly 400 acres in the lower Mill Creek watershed and manages it according to the Toledo Mill Creek Forest Stewardship Plan (Forest Stewardship Plan) prepared by Trout Mountain Forestry in 2011. An update of the Forest Stewardship Plan would provide an opportunity for the City to review management actions to-date and ensure that drinking water protection goals continue to be supported by thoughtful forest management. An update of the plan would also allow the City to incorporate changes to the Forest Practices Act enacted through the Private Forest Accord in 2022, which affect stream buffers, road construction, harvest on steep slopes, and other forestry activities.

3.5 Municipal Policies and Infrastructure Management

Municipal policies provide a foundation to guide decision making and investment, presenting a valuable opportunity to make sustainable water management part of Toledo's way of life. Policies may be formally adopted through an ordinance or City Council resolution, or they may be internal directives guiding the operation of City departments. Through municipal policies, the City can set priorities, establish standards and goals, and create accountability through enforcement provisions. Strategies in this category address risks related to biological and geological processes, transportation, stormwater, and infrastructure.

3.5.1 Water Conservation

Demand management helps to reduce pressure on water resources, particularly during the summer when demand is typically highest, streamflows are lowest, and water quality issues may arise. Water conservation is also critical in the event of supply disruptions or prolonged droughts. In addition to the water conservation outreach described in Section 3.2.2, the City will consider adopting development ordinances that would increase the water efficiency of new homes and businesses and their associated landscaping. For example, ordinances could require that indoor plumbing fixtures meet or exceed specific efficiency standards, or specify that water-wise landscaping and water-efficient irrigation technologies be used. The City will also explore opportunities to conserve water used in City parks and facilities.

3.5.2 Infrastructure Management

Maintenance and improvements to City water infrastructure will increase reliability and protect water quality. The City will conduct regular maintenance and targeted upgrades in coordination with the City's Water Master Plan and applicable capital improvement plans. Specialized projects may be needed to prepare for or recover from wildfires, severe storms, or similar disaster conditions. Earthquake preparedness measures may include installation of check valves on tanks, protection of pipes, and securing backup electrical systems or generators. The City recently installed a back-up electric generator for the Siletz River water intake system, which will allow water to continue to be pumped from the river during power outages. Resilient water infrastructure management also includes efforts to improve cybersecurity and prevent or respond to potential vandalism or sabotage. In addition to City-owned water system infrastructure, the City may implement policies to support good road maintenance practices that help prevent stormwater pollution, erosion, and sedimentation.

3.6 Pollution Prevention Programs

Pollution prevention programs focus on avoiding contamination of drinking water source areas by promoting safe disposal of chemicals and hazardous wastes. These strategies build on the technical assistance and educational programs described above to include proactive hazardous waste collection activities and coordination of spill response plans to respond to accidental releases of chemicals that may affect drinking water sources.

3.6.1 Hazardous Waste Collection

Hazardous waste collection events offer opportunities for residents and businesses to safely dispose of potentially hazardous chemicals that they no longer need. The City will investigate options for setting up permanent drop-off locations or sponsoring one-day events for collecting household and business hazardous waste. Examples of materials that may be accepted include paint, motor oil, batteries, antifreeze, expired medications, and chemicals used in landscaping, agriculture, and forestry. Special events may be held specifically targeting businesses that may have larger quantities of agricultural or forestry chemicals (pesticides, fertilizers, etc.) requiring safe disposal. The City will communicate with Lincoln County and DEQ about collaboration and funding sources for sponsoring hazardous waste collection events and ongoing collection programs. Lincoln County holds annual household hazardous waste collection events. The City will also explore partnerships with the Port of Toledo and Lincoln County Parks boat launch areas for collection of boating-related hazardous waste, such as fuels, solvents, varnishes, bottom paints, antifreeze, and oil. The Oregon State Marine Board has approved the Port of Toledo as a Certified Clean Marina for its efforts to reduce water pollution through public outreach and implementation of best practices in its shipyard services. Boating-related hazardous waste collection events could be developed as a natural extension of the Port's existing programs.

3.6.2 Spill Response Plans

The purpose of this strategy is to coordinate spill response plans with other municipalities whose drinking water intakes may also be affected by large upstream spills of gasoline or other hazardous chemicals, primarily in the Siletz River watershed. This has been identified as a higher risk where roads cross the river and its tributaries, since a spill in these locations could more quickly reach the water source. The Cities of Siletz and Newport also have intakes on the Siletz River and could be affected by a spill, so having specific spill response procedures in place would allow for quicker response and targeted notifications to all potentially affected municipalities.

The City will communicate with Lincoln County about integrating hazardous spill response planning into the County's existing Emergency Operations Plan. Currently, the County's plan calls for coordination with local fire departments and notification of the National Response Center in the event of an oil or chemical spill. The Toledo Fire Department maintains emergency plans and procedures to provide hazardous materials incident support and can request assistance from the Oregon State Fire Marshal Regional Hazardous Materials Team. Integrated spill response plans would enable any entity that learns of a spill to communicate important information quickly to others, including the Cities of Toledo, Newport, and Siletz; Lincoln County; the Oregon Department of Transportation; and others as needed. This would enable drinking water providers to assess the potential threat to their systems and determine whether there is a need to temporarily suspend operation of an intake, switch to an alternate water source, or use stored water to meet demands until the water source is once again safe.

3.7 Monitoring Programs

Monitoring programs can be designed to assess current threat levels and to track changes in an area over time. Water quality monitoring is needed to detect and address any potential degradation of water quality in the drinking water sources. In addition, the City may decide to monitor for potential insect and fungal outbreaks in the watersheds as needed.

3.7.1 Water Quality Monitoring

The City conducts routine drinking water quality monitoring at the water treatment plant in compliance with all state and federal requirements. Water quality monitoring in the source watersheds and tributaries would

help the City understand potential upstream sources of pollution and determine whether any action is needed to prevent contamination.

Because of the seasonal water quality issues in the City's water sources, each one is used at a particular time of year. Due to low streamflows in Mill Creek and shallow water in Mill Creek Reservoir above the intake, this water source frequently experiences algae blooms in the summer, causing taste and odor issues. Therefore, Mill Creek is used primarily during the winter and spring months. The Mill Creek watershed is much smaller than the Siletz River watershed, and no areas of highly erodible soils have been mapped in the area. The City's 2017 Water Master Plan reports that turbidity at the intake on Mill Creek rarely exceeds 1.0 NTU (Nephelometric Turbidity Unit, a common unit of measurement for turbidity) even during the winter. While extensive monitoring in the Mill Creek watershed may not be needed at this time, the City may consider targeted monitoring after specific events, such as logging or chemical applications in the watershed.

The Siletz River watershed covers a substantial area under multiple jurisdictions and a wide variety of land uses. The City is limited to using the Siletz River water source during the summer and fall months because winter storms greatly increase turbidity in the river. Heavy loads of silt and sand damage the pump bearings at the intake and increase the difficulty of water treatment. The City will explore potential partnerships with other Siletz River water users, such as the Cities of Newport and Siletz, for creating an early-warning system of turbidity monitoring in areas of the watershed with highly erodible soils that could cause issues further downstream. Turbidity monitoring could be conducted on a routine basis or could include targeted sampling following events, such as wildfires, earthquakes, or severe storms. In addition to turbidity monitoring, the City will also investigate the need for water quality monitoring before and after activities, such as logging, mining, roadside vegetation management, land application, and chemical applications in agricultural and forestry operations.

3.7.2 Insect and Fungal Outbreak Monitoring

Regional outbreaks of certain types of insects or fungal infections could lead to widespread tree mortality in the drinking water source areas. In the event of a reported outbreak, the City will provide public information about detecting the pest species and will publicize reporting systems to monitor the spread of the insect or fungus, such as the Oregon Invasive Species Online Hotline. As needed, the City will implement monitoring and determine other actions that may be needed to control the spread within the drinking water source areas.

3.8 Watershed Restoration

Healthy source watersheds are better able to produce clean water for communities, the environment, agriculture, and other uses. Activities and projects that restore and enhance watershed health can protect water quality, reduce sedimentation and turbidity in streams, and help maintain higher streamflows longer into the summer when surrounding lands are better able to retain soil moisture and contribute to baseflows. Watershed restoration strategies may be used to address risks related to highly erodible soils, agriculture, forestry, mining, and municipal stormwater, along with specialized projects to recover following natural disasters. Restoration activities can be planned for portions of the Mill Creek watershed owned by the City, and the City can support or promote voluntary restoration of the Siletz River watershed upstream of the intake. Restoration can also be combined with Critical Area Protection strategies.

3.8.1 Restoration Projects

Specific activities may include invasive species removal, revegetation with native plants, planting or maintenance of riparian buffers, erosion control and slope stabilization, and installation of large woody

debris in streams. Strategic fencing can be used to manage potential impacts from grazing wild and domestic animals in the source watersheds while also maintaining habitat connectivity. Decommissioned forest access roads can be assessed to identify locations where revegetation and drainage improvement techniques may be needed to protect water quality. On-the-ground habitat restoration and enhancement projects can be linked with targeted outreach about invasive species management for rural development, forestry, mining, and other sectors as needed. As feasible, the City will support and collaborate with local entities engaged in watershed restoration, such as the MidCoast Watersheds Council, Lincoln SWCD, and the Alsea Stewardship Group for projects on forest lands near the Siuslaw National Forest.

Special projects may need to be developed following events such as earthquakes, wildfires, severe storms, or insect and fungal outbreaks. Monitoring activities recommended above can be used to determine the need for specific projects. Restoring floodplains and beaver habitat can improve streamflows and help make the watersheds more resilient to drought, extreme high and low flows, and climate change. Restoration following wildfires or severe storms may be focused on stabilizing soils, accelerating revegetation, and reducing erosion risks.

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SECTION 4: Implementation Plan

The implementation plan section of the DWPP describes the activities that the City plans to undertake as part of its strategies to address risks to the drinking water supply source areas. The implementation plan includes activities over the next six years, but some activities may require longer planning timeframes or are intended to be ongoing. Potential funding sources are also described in this section, since implementation of many activities will be contingent on funding and staff availability. The City plans to continue engaging the DWPP Team and building partnerships during implementation. The implementation plan will be reviewed periodically to assess progress and determine if new actions are needed to address any changes in risk levels or watershed conditions.

The implementation plan is divided into three phases based on the complexity and readiness of the activities to proceed. Activities listed in Phase 1 include actions that can be implemented immediately along with data collection activities to fill data gaps and inform future activities. Phase 2 includes actions that require additional preparation, such as developing partnerships. Activities with longer lead times or more substantial funding needs are included in Phase 3. Specific activities to implement each strategy listed in Section 3 are described by phase below.

4.1 Phase 1: Immediate Activities and Data Gathering

4.1.1 Public Education and Outreach

4.1.1.1 Outreach in the Source Watersheds

To address risks in the source watersheds, the City will continue to learn about current forestry and agricultural practices in order to develop outreach about the DWPP and how specific risks can be minimized or eliminated. The City will seek information about existing outreach programs in the City of Siletz that may be relevant, such as water conservation or pollution prevention programming that would benefit the Siletz River as a shared water source. Additional research may be done to better understand any existing low impact development programs and projects in the City of Siletz or other upstream communities. During this phase, the City will begin promoting existing programs that support public education and watershed protection, such as Lincoln SWCD programs and the Ocean-Friendly Gardens program. Topics could include riparian vegetation, sediment and chemical management, or irrigation efficiency, among others.

4.1.1.2 Outreach within the City

Additional outreach efforts within the City of Toledo will focus on promoting water conservation through participation in the Mid-Coast Water Conservation Consortium (Mid-Coast Water) and creating educational materials about the DWPP, risks and strategies, and how residents and businesses can help protect drinking water supplies.

4.1.2 Technical Assistance

During Phase 1, the City will focus on gathering information about current technical assistance programs, such as those offered by Lincoln SWCD, ODA, ODF, ODOT, BLM, NRCS, and USFS. Specifically, the City will learn about programs for sediment management and nutrient and chemical management, including septic system assistance programs.

4.1.3 Critical Area Protection

Assessing and prioritizing critical areas in the source watersheds is a necessary precursor to any protection activities. The City will use data from the SWA, the 303(d) list, and other sources as needed to prioritize potential locations that may need additional protection to ensure healthy watersheds and water quality. Areas for protection could include those with highly erodible soils, steep slopes near water sources, areas prone to landslides, and stream buffers. The City will coordinate with Lincoln SWCD and other local agencies to learn about current land management practices and whether they are already providing sufficient protection of identified critical areas. As needed, the City will begin communicating with landowners and land managers about best practices and existing conservation programs, such as the Conservation Reserve Enhancement Program (CREP) for agricultural and ranching landowners.

4.1.4 Municipal Policies and Infrastructure Management

The City will strive to enhance water conservation and protection policies. By participating in Mid-Coast Water, the City will seek to promote water conservation and share best practices with other water providers in the region. As a Mid-Coast Water member, the City has access to water conservation outreach materials and water conservation items to offer customers, such as faucet aerators, water-efficient showerheads, shower timers, and toilet leak detection dye tablets. The City will begin assessing opportunities for water conservation at City-owned facilities and parks to better protect the water supply.

In coordination with the City's Water Master Plan and its Water Management and Conservation Plan, the City will start assessing water system infrastructure needs for disaster preparedness and achieving reductions in water loss. The City will also communicate with Lincoln County and ODOT to determine if there are current evaluations of roads in the source watersheds that may contribute to stormwater pollution or sediment. Infrastructure management activities during Phase 1 will be aligned with projects in the City's annual budget, such as replacement of the Mill Creek raw water line.

4.1.5 Pollution Prevention Programs

The City will begin coordinating with DEQ and Lincoln County Solid Waste District to set up collection sites or sponsor regular drop-off events for household hazardous waste. To facilitate proper disposal of agricultural chemicals, the City will connect with ODA, DEQ, and the Lincoln County Farm Bureau to investigate hosting collection events and to learn about opportunities with the Pesticide Stewardship Partnership. Additional data gathering during Phase 1 will focus on learning about existing spill response plans that may have been developed by the City of Siletz, City of Newport, Lincoln County, and ODOT.

4.1.6 Monitoring Programs

During Phase 1, the City will learn about existing water quality monitoring programs, such as those being implemented by Surfrider, DEQ, Lincoln SWCD, the MidCoast Watersheds Council, and other municipalities in the area. Next, the City will determine the most important water quality parameters to monitor regarding its drinking water sources and will assess whether these are already sufficiently monitored by other entities or if new programs may be needed. In particular, new monitoring programs may be desirable to understand changes in water quality before and after clearcuts or other large-scale timber harvest activities, chemical applications, land application of treated wastewater, landslides, wildfires, severe storms, or earthquakes. The City will also learn about any "watch list" insects, fungi, or aquatic invasive species that may become a threat in the area.

4.1.7 Watershed Restoration

The City will gather information about existing restoration efforts that are ongoing or planned in the source watersheds and will then determine if there are priority areas where the City can support restoration. During Phase 1, the City will begin proactively exploring funding options for restoration of these key areas. The City will maintain a list of potential funding sources, including post-disaster recovery funds that could be used to protect water quality.

4.2 Phase 2: Develop Partnerships and Continue Implementation

Actions included in Phase 2 include continued data gathering and implementation of Phase 1 actions as well as development of partnerships for more complex projects.

4.2.1 Public Education and Outreach

4.2.1.1 Outreach in the Source Watersheds

During Phase 2, the City will develop partnerships with entities, such as Lincoln SWCD and the City of Siletz, to co-develop outreach materials targeting specific drinking water risks, such as agriculture and municipal stormwater. The City will maintain regular communications with forest managers to understand upcoming activities, such as timber harvest and chemical applications, and will subscribe to ODF's Forest Activity Electronic Reporting and Notification System (FERNS) to receive timely information about planned forest operations. Targeted outreach materials will be developed for forest managers describing the City's DWPP and strategies related to forestry and expressing interest in regular communications and collaboration. The City will explore partnering or promoting the Salmon Safe certification for businesses in the Siletz River watershed.

4.2.1.2 Outreach within the City

The City will continue its efforts to educate water customers about water conservation and the true value of tap water, and may begin to include targeted outreach in mailers or billing messages based on current needs and the observed impact of previous efforts. Website content will be developed or updated to describe the DWPP and actions that residents can take. A pub talk style public outreach series will be developed to make water-related topics accessible to a range of audiences and promote best practices for conservation and pollution prevention.

4.2.2 Technical Assistance

The City will continue to promote existing technical assistance programs and resources describing best practices for sediment, nutrient, and chemical management. During Phase 2, the City will work to develop and strengthen partnerships with other agencies and organizations working in these areas so it can provide seamless referrals to the appropriate resources.

4.2.3 Critical Area Protection

Based on the results of the critical area assessments undertaken during Phase 1, the City will determine whether to begin developing partnerships with organizations and land trusts, such as the McKenzie River Trust, Oregon Coast Community Forestry Association, and the Greenbelt Land Trust. Partnerships will be targeted toward potential acquisition or conservation easements for identified critical areas.

4.2.4 Municipal Policies and Infrastructure Management

During Phase 2, the City will research and evaluate the adoption of water conservation ordinances as a way to reduce water demand and prevent water waste. Ordinances may target indoor water use, such as by requiring water-efficient plumbing fixtures in new development, or outdoor water use, such as by requiring or encouraging planting of low water use, drought-tolerant species.

Depending on funding and staffing availability, the City will begin implementing water conservation activities and upgrades at City-owned parks and facilities that were identified during Phase 1. The City will continue water system infrastructure maintenance and upgrades to improve disaster preparedness and to decrease water loss from the system. The City will consider cybersecurity training and system assessments that may be available through the American Water Works Association or the Environmental Protection Agency. The City will support any road maintenance programs and practices that were determined during Phase 1 to prevent pollution and sediment transport to the drinking water sources.

4.2.5 Pollution Prevention Programs

Partnerships will be developed with the Port of Toledo and/or Lincoln County Parks for collection of boating-related hazardous waste. Public service announcements or other outreach may be developed in conjunction with waste collection, and signage may be developed for posting at boat ramps. For agricultural or forestry chemicals, the City will consider implementing drop-off events through the Pesticide Stewardship Partnership or similar one-day events. Using the information collected during Phase 1 regarding existing spill response plans, the City will coordinate with other entities to update its own spill response plan as needed. The City will keep an updated list of contact information so that the appropriate parties can be notified quickly in the event of a spill that could threaten drinking water sources.

4.2.6 Monitoring Programs

Monitoring programs will be developed as needed during Phase 2 based on the results of the evaluations conducted during Phase 1 and the potential to build on existing monitoring programs. Parameters to monitor will be selected, appropriate monitoring locations will be chosen, protocols and schedules will be developed, and responsible parties will be identified to conduct the monitoring. The City will explore relevant partnerships to secure funding for water quality monitoring, such as programs funded by OHA. Water quality monitoring results will be shared with the Public Works Department to ensure that any risks to the drinking water supply can be addressed quickly. Should any insect or fungal outbreaks occur, the City will maintain communications with agencies monitoring or responding to the outbreak. The City will also promote existing reporting hotlines for outbreaks and invasive species, such as the Oregon Invasive Species Online Hotline.

4.2.7 Watershed Restoration

The City will develop a list of existing projects that would contribute to drinking water source area protection and will maintain communications with potential partner organizations regarding these projects. To the extent possible, the City will also assist with pursuing funding for these projects and provide in-kind or monetary support for project implementation. Specific activities will depend on the location of restoration and enhancement projects and their relationship to the drinking water sources. Priority areas are likely to include those with highly erodible soils, riparian corridors, areas where wild animals appear to be concentrated or overgrazing, and lands affected by mining or forestry activities.

4.3 Phase 3: Long-Term Implementation

Phase 3 will include continued implementation of activities described in earlier phases, with some additional actions that require more preparation as described below.

4.3.1 Public Education and Outreach

4.3.1.1 Outreach in the Source Watersheds

During Phase 3, the City will communicate with Lincoln County and upstream communities in the Siletz River watershed to promote low impact development.

4.3.2 Critical Area Protection

As needed, the City will begin pursuing funding for conservation easements or land acquisition of critical areas in collaboration with the partners discussed in Phase 2. This may include the Drinking Water Source Protection Fund through the Oregon Health Authority, the Oregon Agricultural Trust for agricultural lands, and the Oregon Watershed Enhancement Board. The City will develop or co-develop management plans for areas to be acquired.

4.3.3 Municipal Policies and Infrastructure Management

As needed, the City will seek funding to implement more substantial water conservation efforts, such as upgrades at City facilities and parks. This could include replacement of older, inefficient plumbing fixtures or irrigation systems. Should any disasters occur during the implementation period, specialized recovery projects may be needed to rebuild or repair water infrastructure.

4.3.4 Pollution Prevention Programs

The City will develop a schedule for regularly implementing pollution prevention programs and will maintain a list of related contacts and outreach materials to facilitate ongoing implementation efforts.

4.3.5 Monitoring Programs

During Phase 3, the City will implement any water quality monitoring programs developed during Phase 2. In the event of insect or fungal outbreaks or detection of aquatic invasive species, the City will coordinate with response agencies to promote management methods with lower contamination risk to water sources, such as non-chemical treatments where possible.

4.3.6 Watershed Restoration

In addition to longer-term support of prioritized restoration and habitat enhancement efforts, specialized projects to recover from disasters will be implemented as needed.

4.4 Overview of Timeline and Entities Involved

In general, the City anticipates that Phase 1 activities will occur during the first year of implementing the DWPP. There will likely be some overlap with Phase 2, anticipated to occur during the first 3 years of implementation, depending on the development of partnerships and availability of funding and staff resources. Long-term implementation activities under Phase 3 are expected to be undertaken within 4-6 years of adoption of the DWPP.

Exhibit 4-1 presents a summary of the implementation plan timeline by phase, strategy (see Section 3 for additional details), and risks addressed (see Section 2 for additional details). Exhibit 4-2 lists responsible parties and potential partner organizations.

Exhibit 4-1. Implementation Plan Summary by Phase

Strategy	Phase 1 Activities	Phase 2 Activities	Phase 3 Activities	Risks Addressed
Public education and outreach				
Source watersheds	- Learn about existing City of Siletz outreach - Continue to learn about current forestry practices and develop outreach about DWPP - Continue to learn about current agriculture practices and develop outreach about DWPP - Learn about existing programs for low impact development in upstream communities - Promote existing Lincoln SWCD programs - Explore promoting Ocean-Friendly Gardens	- Co-develop outreach materials with Lincoln SWCD as appropriate - Co-develop additional outreach with City of Siletz as needed - Regular communications with forestry companies - Explore promoting Salmon Safe certification	Work with the County and upstream communities to promote low impact development	- Drought and low flows - Biological and geological processes - Forestry practices - Agricultural practices - Municipal stormwater - Rural residential practices - Septic systems - Recreation
Within City	- Promote water conservation through Mid-Coast Water - Create outreach about DWPP	- Targeted outreach in mailers or billing messages as needed - Public outreach series (pub talk style)		- Drought and low flows - Biological and geological processes
Technical assistance				
Sediment management	- Learn about current TA programs (Lincoln SWCD, ODA, ODF, BLM, USFS, NRCS) - Learn about ODOT culvert program - Sign up for ODF FERNs notifications. Review and comment (as needed) on proposed forestry management actions - Develop an action plan that assesses the highest risk areas and prioritizes best management practices for targeted outreach	- Promote existing programs and best practices - Partnerships with existing entities - Identify funding sources for sediment prevention and mitigation		- Highly erodible soils - Drought and low flows - Biological and geological processes - Transportation - Forestry practices - Agricultural practices - Municipal stormwater - Rural residential practices - Industrial practices
Nutrient and chemical management	- Learn about current TA programs (Lincoln SWCD, ODA, NRCS, ODF, BLM, USFS) - Develop an action plan that assesses the highest risk areas and prioritizes best management practices for targeted outreach	- Promote existing programs and best practices - Partnerships with existing entities		- Highly erodible soils - Drought and low flows - Biological and geological processes - Transportation - Forestry practices - Agricultural practices - Municipal stormwater - Rural residential practices - Septic systems
Septic system assistance	Septic system assistance program referrals	- Partnerships with existing entities - Consider financial incentives for landowners to inspect and maintain septic systems		- Rural residential practices - Septic systems

Strategy	Phase 1 Activities	Phase 2 Activities	Phase 3 Activities	Risks Addressed
Critical area protection				
Critical area protection	- Assess and prioritize critical areas in source watersheds, including 303(d) list - Learn about current land management (coordinate with Lincoln SWCD) - Communicate with landowners about best practices and existing conservation programs (e.g., CREP, Lincoln SWCD)	Develop partnerships with land trusts if needed (McKenzie River Trust, Oregon Coast Community Forestry Association, Greenbelt Land Trust)	- Seek funding for conservation easements/acquisition (DWSPF implementation, OWEB, OAT for agricultural) if needed - Develop management plans for areas to be acquired	- Highly erodible soils - Forestry practices - Agricultural practices - Municipal stormwater - Rural residential practices
Municipal policies and infrastructure management				
Water conservation	- Continue participating in Mid-Coast Water - Assess water conservation opportunities at city facilities and parks	- Consider water conservation ordinances - Implement water conservation at city facilities and parks	As needed, seek funding for more substantial water conservation opportunities, such as at city facilities and parks	- Drought and low flows - Agricultural practices - Rural residential practices
Infrastructure management	- Assess water system infrastructure needs for disaster preparedness and water loss (coordinate with Water Master Plan) - Learn about County or ODOT assessments of roads that may contribute to stormwater pollution or sediment	- Maintenance and upgrades to improve disaster preparedness and decrease water loss - Consider cybersecurity training and system assessment (AWWA, EPA) - Support road maintenance practices that prevent pollution and sediment transport	As needed, specialized projects to recover from disasters	- Drought and low flows - Biological and geological processes - Transportation - Municipal stormwater - Aging infrastructure - Vandalism
Pollution prevention programs				
Hazardous waste collection	- Set up drop sites or sponsor drop-off events for household hazardous waste (coordinate with DEQ, Lincoln County Solid Waste District) - Connect with ODA/DEQ about Pesticide Stewardship Partnership, Lincoln County Farm Bureau – host collection events or sites	- Partner with Port and/or Lincoln County Parks for boating-related hazardous waste collection – PSA/signage at boat ramps - Consider implementing drop-off events with Pesticide Stewardship Partnership or similar 1-day events	- Develop a schedule for regularly implementing pollution prevention programs - Maintain list of contacts and outreach materials for future events	- Forestry practices - Agricultural practices - Municipal stormwater - Rural residential practices - Recreation
Spill response plans	Learn about existing spill response plans (City of Siletz, City of Newport, Lincoln County, ODOT)	Coordinate response plans and keep contact info updated		- Forestry practices - Agricultural practices - Transportation
Monitoring programs				
Water quality monitoring	- Learn about existing water quality monitoring programs (Surfrider, DEQ, City, Lincoln SWCD, Mid-Coast Watersheds Council) - Determine most important parameters to monitor (see 303(d) list)	- Develop additional monitoring plans as needed - Potential partnership on funding for water quality monitoring (OHA)	Implement monitoring plans	- Biological and geological processes - Forestry practices - Transportation
Insect/fungal/aquatic invasive monitoring	Learn about any “watch list” species that may become a threat in the area	- Communicate with agencies monitoring any outbreaks - Promote reporting hotline in the event of outbreaks	As needed, promote management methods with lower contamination risk to water sources	Biological and geological processes

Strategy	Phase 1 Activities	Phase 2 Activities	Phase 3 Activities	Risks Addressed
Watershed restoration				
Restoration projects	▪ Learn about existing restoration efforts ▪ Determine priority areas to support restoration ▪ Explore funding options proactively for restoration, including post-disaster funding	▪ Ongoing communication and tracking of restoration work ▪ In-kind or other support of prioritized restoration	▪ As needed, specialized projects following disasters	▪ Highly erodible soils ▪ Drought and low flows ▪ Biological and geological processes ▪ Transportation ▪ Forestry practices ▪ Agricultural practices ▪ Municipal stormwater ▪ Rural residential practices ▪ Industrial practices

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Exhibit 4-2. Responsible Parties and Potential Partnerships

Category	Potential Partners
Public Education and Outreach	
Source Watersheds	City of Siletz, Lincoln SWCD, Surfrider, Salmon Safe, Lincoln County, People for Lincoln Land and Waters (PLLW)
Within City	Mid-Coast Water
Technical Assistance	
Sediment Management	Lincoln SWCD, ODA, ODF, BLM, USFS, ODOT (culvert program), DEQ
Nutrient and Chemical Management	Lincoln SWCD, ODA, NRCS, ODF, BLM, USFS, DEQ
Septic System Assistance	DEQ, Lincoln County, ODA
Critical Area Protection	
Acquisition and Conservation Easements	Lincoln SWCD, McKenzie River Trust, Greenbelt Land Trust, Oregon Coast Community Forest Association, OWEB
Municipal Policies and Infrastructure Management	
Water Conservation	Mid-Coast Water
Infrastructure Management	ODOT, County (roads), AWWA (cybersecurity), industry
Pollution Prevention Programs	
Hazardous Waste Collection	DEQ and ODA (Pesticide Stewardship Partnership), Lincoln County Solid Waste District, Lincoln County Farm Bureau, Port of Toledo, Lincoln County Parks (boat launches), industry
Spill Response Plans	City of Siletz, City of Newport, Lincoln County, ODOT, industry
Monitoring	
Water Quality Monitoring	DEQ, Lincoln SWCD, MidCoast Watersheds Council, Surfrider, OHA
Insect, Fungus, and Aquatic Invasive Species Monitoring	ODFW, ODA, ODF
Watershed Restoration	
Restoration Projects	MidCoast Watersheds Council, Lincoln SWCD, ODFW, industry

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4.5 Potential Funding Sources

The following is a list of potential funding sources for supporting implementation of the DWPP. The City's SWA also contains a list of funding sources.

- Drinking Water Source Protection Fund, Oregon Health Authority
 - Provides grants of approximately \$30,000-\$50,000; grants can be received in two consecutive years, then there must be at least one year before another grant is awarded
 - Provides loans up to \$100,000 per project
 - Funding must be used within two years
 - Emergency grants are available to address threats to drinking water supplies outside of the standard Letter of Interest submission timeline
 - Letters of Interest due from January through March
 - Example projects: land acquisition, incentive-based protection measures, community outreach, riparian restoration, waste collection, and watershed planning
 - <https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/DRINKINGWATER/SRF/Pages/spf.aspx>
- Drinking Water Provider Partnership Grants, Numerous partners (Oregon Department of Environmental Quality, USFS, US EPA, BLM, USDA, The Freshwater Trust, GEOS Institute, Wild Earth Guardians, Washington State Department of Health)
 - Provides grants up to \$50,000
 - Project must be in a drinking water source area with a Federal nexus (e.g., USFS and BLM)
 - Funding must be used within 18 months
 - Proposals due in early January
 - Supports projects that restore and protect watersheds that provide drinking water while also benefiting aquatic and riparian ecosystems, including the native fish that inhabit them
 - Example projects: develop native riparian reserves, road sediment analysis and road redesign, riparian planting, weed control, floodplain reconnection
 - <https://geosinstitute.org/initiatives/dwpp/>
- Clean Water State Revolving Fund, Oregon DEQ and US EPA
 - Provides below-market rate loans for planning, design, and construction projects that protect public health, restore natural areas, and promote economic development.
 - Applications reviewed three times a year
 - Example projects: establishing monitoring programs and outreach programs, watershed restoration, loans for septic system upgrades/replacements, land purchase, and nonpoint source control activities
 - <https://www.oregon.gov/deq/wq/cwsrf/pages/default.aspx>
- Oregon 319 Nonpoint Source Implementation Grants, Oregon Department of Environmental Quality
 - Provides grants up to \$30,000 and requires a 40% non-Federal match (i.e., 40% of the total project cost must be covered by non-federal funds and/or in-kind services)
 - Only projects with a DEQ Watershed-Based Plan are eligible (shown in Section B of the application information)
 - Application period closes in April or May
 - Supported activities include technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring
 - Projects that involve collaborative stakeholder partnerships are encouraged
 - Projects that protect or replace failing infrastructure on USFS or BLM roads or lands are not eligible

- <https://www.oregon.gov/deq/wq/programs/pages/nonpoint-319-grants.aspx>
- Oregon Watershed Enhancement Board
 - Monitoring grants: eligible monitoring projects include status and trend, project effectiveness, landscape effectiveness, and Rapid Bio-Assessment; apply in the fall
 - Restoration: Priorities include altered watershed function affecting water quality, water flow, and fish production capacity; apply in the spring or fall
 - Stakeholder Engagement: Eligible projects increase awareness and understanding in watersheds to support implementation of specific restoration, monitoring, and conservation activities; apply in spring or fall
 - Technical Assistance: apply in spring or fall
 - Land Acquisition Grants: Eligible projects involve purchase of interests in land from willing sellers for maintenance and restoration of watersheds and fish and wildlife habitat; apply in the fall
 - Water Acquisition Grants: Eligible projects involve purchase of an interest in water from a willing seller to increase in streamflow for habitat and species conservation benefits and to improve water quality; apply in fall
 - Small Grants: Provides up to \$15,000 for less complex, on-the-ground restoration projects
 - <https://www.oregon.gov/oeb/grants/Pages/grant-programs.aspx>
- Feasibility Study Grants and Water Project Grants and Loans, Oregon Water Resources Department
 - Water Project Grants and Loans
 - Applications are due in April
 - Supports projects that address instream and out-of-stream water supply needs now and into the future
 - Example projects include: irrigation efficiency projects
 - Feasibility Study Grants
 - Reimburse up to 50% of the costs of studies to evaluate the feasibility of developing water conservation, reuse, and storage projects
 - Applications are due in fall
 - <https://www.oregon.gov/owrd/programs/FundingOpportunities/Pages/default.aspx>
- Various Financial Assistance Programs, USDA Natural Resources Conservation Service
 - Environmental Quality Incentives Program (EQIP): Financial and technical assistance to agricultural and forestry producers to address natural resources concerns and provide environmental benefits, such as water quality improvements, reduce soil erosion and sedimentation, and improved wildlife habitat
 - Conservation Stewardship Program: Encourages farmers, ranchers, and woodland owners to take the conservation a step further by implementing additional conservation activities and enhancements
 - National Water Quality Initiative (NWQI): Provides funding for a detailed watershed assessment and an outreach strategy to address agricultural-related impacts, and following completion, funding to implement projects becomes available through EQIP
 - <https://www.nrcs.usda.gov/wps/portal/nrcs/main/or/programs/>
 - Watershed and Flood Prevention Operations Program: Provides financial and technical assistance for erosion and sediment control, watershed protection, flood prevention, water quality improvements, water management, fish and wildlife habitat enhancement, hydropower sources, and rural, municipal, and industrial water supply; the project must have agricultural benefits
 - <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/landscape/wfpo/>

- Emergency Watershed Protection Program: Provides technical and financial assistance for communities following natural disasters that impair a watershed. Examples of activities that could be funded include removal of debris from stream channels and culverts, restoration of streambanks, establishing vegetative cover on critically eroding lands, repairing levees, and purchase of floodplain easements
- <https://www.nrcs.usda.gov/programs-initiatives/ewp-emergency-watershed-protection>
- Five Star and Urban Waters Restoration Grant Program, US EPA and National Fish and Wildlife Foundation
 - Provides grants to improve water quality, watershed conditions, and fish and wildlife habitat
 - Projects must incorporate: wetland, riparian, instream, and/or coastal habitat restoration; and education and training activities through community outreach, participation, and/or integration with K-12 environmental curriculum; five or more partners; measurable ecological, educational, and community benefits; and a plan for sustaining the benefits
 - Awards range from \$20,000-\$50,000, and grants span 12 to 18 months with a start date in late summer/early fall; apply in January
 - <https://www.epa.gov/wetlands/5-star-wetland-and-urban-waters-restoration-grants>
- Environmental Education Grants Program, US EPA
 - Supports projects that promote environmental awareness and stewardship and help provide people with skills to protect the environment
 - Applicants must represent at least one of the following types of organizations: local education agency, state education or environmental agency, college or university, non-profit organization, tribal education agency, noncommercial educational broadcasting entity
 - Grant competition closes in January
 - <https://www.epa.gov/education/grants>
- Various Grants, Oregon Office of Emergency Management
 - Emergency Management Performance Grant: makes grants from the Federal government available to state, local, and tribal governments to assist in preparing for all hazards
 - Hazard Mitigation Assistance Grant: Provides funds from the Federal government to assist in hazard mitigation planning, projects, and other activities to reduce vulnerability to hazards
 - Homeland Security Grant Program: Provides funds from the Federal government for planning, organizing, equipment purchasing, training, and exercises for emergencies
 - <https://www.oregon.gov/oem/emresources/Grants/Pages/default.aspx>
- Wildfire Resources, State of Oregon
 - <https://wildfire.oregon.gov/>
- Fire prevention and training funding, multiple agencies (FEMA, USFS, BLM)

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SECTION 5: Contingency Plan

A contingency plan for responding to the loss or substantial reduction of a drinking water source is a required element of a state-approved Drinking Water Protection Plan. Oregon Administrative Rule [OAR 333-061-0057\(5\)](#) specifies that a contingency plan must include the following elements:

1. Inventory/prioritize all threats to the drinking water supply
2. Prioritize water usage
3. Anticipate responses to potential incidents
4. Identify key personnel and develop a notification roster
5. Identify short-term and long-term replacement potable water supplies
6. Identify short-term and long-term conservation measures
7. Provide for plan testing, review, and update
8. Provide for new and ongoing training of appropriate individuals
9. Provide for education of the public
10. Identify logistical and financial resources

These elements are addressed below.

This contingency plan has been developed in coordination with the City of Toledo Emergency Operations Plan (November 2014).

5.1 Threats to the Drinking Water Supply

The City identified numerous threats in its drinking water source areas (see Section 2 of this DWPP and Section 2.1.2 of the City's Emergency Operations Plan [EOP]). Of those identified, the following could cause the potential loss or reduction of a drinking water source:

- Drought
- Wildfire
- Earthquake
- Tsunami
- Severe weather (windstorm, winter storm, flood, landslides/debris flow)
- Water system infrastructure or facility failure (dams)
- Contamination
- Human caused/adversarial threats (sabotage)

In addition to the hazards identified above, hazards that originate in neighboring jurisdictions may create hazard conditions within the City. These hazards include a tsunami on the Oregon coast or a volcanic eruption in the Mt. Hood area. If these occur, the City may be impacted by residents fleeing their cities and seeking shelter in Toledo (See Section 2.1.2.1 in EOP).

5.2 Prioritization of Water Usage

If an emergency results in an insufficient water supply to meet all needs, the City may need to prioritize water use. The prioritization may be as follows:

- Fire protection
- Residential (indoor domestic)
- Schools and commercial
- Parks

- Irrigation (by residential or commercial water customers)

5.3 Responses to Potential Incidents

The City has an all-hazard plan (the EOP) that describes how the City will organize and respond to emergencies and disasters in the community. It is based on, and is compatible with, Federal plans, including Presidential Policy Directive 8 and the National Disaster Recovery Framework; State plans, including the State Emergency Management Plan; Lincoln County plans, including the Lincoln County Multi-jurisdictional Natural Hazard Mitigation Plan; and City of Toledo Plans, including the Toledo Public Works Water System Emergency Operations Plan (See Section 1.5 in EOP).

It contains an Immediate Action Checklist (See page iii in EOP) to initiate the City's response to and support of an emergency incident. It outlines the appropriate City personnel and organizations that can assist with emergency response (local, regional, and State), and details how to declare a state of emergency as needed.

It contains a Basic Plan (See Section 1 in EOP), which provides a framework for emergency operations and information regarding the City's emergency management structure. Incident Annexes that outline the actions to take if a specific type of emergency or disaster occurs are also included in the EOP.

Exhibit 5-1 presents the threats to municipal water supply identified above and the Incident Annex that responds to the threat. Each Incident Annex describes actions to be implemented in response to the incident. Examples of actions include analyzing scope and extent of the incident, communicating with agencies and the public, organizing efforts, documenting information and actions, activating mutual aid agreements, and initiating water curtailment procedures. For the full list of actions, see the Incident Annexes in the Emergency Operations Plan.

Exhibit 5-1. Municipal Water Supply Threats and Corresponding Incident Annex

Threats	Incident Annex
Drought	Drought
Wildfire	Major Fire
Earthquake	Earthquake
Tsunami	Tsunami
Severe Weather (windstorm, winter storm, flood, landslides/debris flow)	Severe weather, Flood
Water system infrastructure or facility failure	Flood, Utility failure
Contamination	Hazardous Materials Incident
Human caused/adversarial threats (sabotage)	Terrorism

The City has a conventional water treatment plant that requires a certified operator. Oregon Health Authority requires the City to have a water treatment plant operations and maintenance manual, which describes protocols for operating and maintaining various components of the water treatment system. This manual is located in the water treatment plant and intended for use by individuals who have some training in operating water treatment plants.

Information about the City's water treatment system and drinking water sampling is available through OHA's Drinking Water Data Online database using the following links:

- System Information: yourwater.oregon.gov/inventory.php?pwsno=00899
- Specific sampling requirements and status: yourwater.oregon.gov/scheduleschems.php?pwsno=00899
- Entry point detects: yourwater.oregon.gov/unconfirmed.php?pwsno=00899

5.4 Key Personnel and Notification Roster

5.4.1 Key Personnel

The key personnel identified in this Contingency Plan as having a role in addressing emergencies is based on the City's Emergency Operations Plan (Immediate Action Checklist, Section 3.2 Emergency Management Organization, Section 4 Roles and Responsibilities in Functional Annexes 1 through 3: Emergency Services, Human Services, and Infrastructure Services).

Under the City of Toledo's Emergency Management Organization (EMO), the City Manager is considered the Emergency Management Director, unless this role has been otherwise delegated. The City Manager may, depending on the size or type of incident, delegate the authority to lead response and recovery actions to other City staff. Additionally, some authority to act in the event of an emergency may already be delegated by ordinance or by practice. As a result, the organizational structure for the City's emergency management program can vary depending upon the location, size, and impact of the incident.

The EMO for the City is divided into two general groups, organized by function: the Executive Group and Emergency Response Agencies.

5.4.1.1 Executive Group

The Executive Group may include representation from each City Department during an event. The Executive Group is responsible for the activities conducted within its jurisdiction. The members of the group include both elected and appointed executives with legal responsibilities (see Section 3.2.1 in EOP).

Mayor and City Council – During emergencies, the Mayor and City Council are responsible for encouraging citizen involvement and citizen assistance, issuing policy statements as needed to support actions and activities of recovery and response efforts, and providing the political contact needed for visiting State and Federal officials. In the event that declaration of emergency is needed, the Mayor will initiate and terminate the State of Emergency through a declaration ratified by the council (See Section 3.2.1 in EOP).

Emergency Management Director – The City Manager serves as Emergency Management Director and is responsible for continuity of government, overall direction of City emergency operations, and dissemination of public information. The City Manager has been designated as the City's Emergency Program Director with ultimate authority for direction and control of the City's EMO (See Section 3.2.1.2 in EOP).

Emergency Management Coordinator – The Fire Chief serves as the Emergency Management Coordinator for the City. The EMC has the day-to-day authority and responsibility for overseeing emergency management programs and activities. The EMC works with the EMD and Executive Group to ensure that there are unified objectives with regard to the City's emergency plans and activities. The EMC has authority to activate the EOC See Section 3.2.1.3 in EOP).

City Department Heads – Department and agency heads collaborate with the Executive Group during development of local emergency plans and provide key response resources (See Section 3.2.1.4 in EOP).

5.4.1.2 Emergency Response Agencies

- **Public Safety Answering Point (911 Dispatch)**
 - Toledo Dispatch Center
- **Toledo Fire Department (541) 336-3311**
- **Toledo Police Department (541) 336-5555**
- **Public Works Department (541) 336-2247**
- **Lincoln County Emergency Management (541) 265-4199**
- **OHA – Drinking Water Services (971) 673-0405**
- **DEQ – Drinking Water Program (503) 229-5954**
- **Other Organizations**
 - Organizations such as the Oregon Department of Transportation, the Oregon State Police, local ambulance service, and local hospitals may assign liaisons as points of contact within the City EOC for coordination and communication (from FA 1-6).

5.4.1.3 Tasked Agencies

Functional Annexes (FA) 1 through 3 describe agencies tasked with responding to different types of threats to the community. Section 4 in each FA describes roles and responsibilities, and Section 5 describes the concept of operations.

FA 1. Emergency Services

This annex outlines the basic City emergency services necessary to respond to a disaster (from page FA 1-1).

Primary Agencies	Emergency Management Director/Coordinator Police Department Fire Department Toledo Dispatch Center Local Emergency Medical Service Providers
Supporting Agencies	Public Works Department Lincoln County Emergency Management Lincoln County Sheriff's Office Lincoln County Health and Human Services Department Ambulance Providers: Pacific West Ambulance and Central Coast Ambulance

FA 2. Human Services

This annex addresses emergencies that require evacuation of people and sheltering or care (from FA 2-1).

Primary Agencies	Emergency Management Director/Coordinator American Red Cross
Supporting Agencies	Fire Department Police Department Lincoln County School District Lincoln County Emergency Management Lincoln County Health and Human Services Department County Sheriff's Office (Animal Services) Local Community and Faith Based Organizations Lincoln County Animal Shelter (located in Newport)

FA 3. Infrastructure Services

This annex provides information regarding the coordination of infrastructure, public works, damage assessment, and engineering services during all phases of emergency management (from FA 3-1).

Primary Agencies	Public Works Department
Supporting Agencies	Emergency Management Director/Coordinator Fire Department Police Department Lincoln County Department of Public Works Department Oregon Department of Transportation Local Utilities: <i>Water: City of Toledo</i> <i>Sewer: City of Toledo</i> <i>Electricity: Central Lincoln Public Utility District</i> <i>Gas: Northwest Natural Gas</i> <i>Telephone(s): CenturyLink</i>

Section 3 Situation and Assumptions (FA 3-2) states that the Public Works Department's response operations will include assisting law enforcement and fire services in traffic control and rescue operations and clearing and maintaining critical lifeline routes. Also states that the Public Works Department will generally be assigned or assume the lead agency role in a natural hazards event, such as a flood, windstorm, or earthquake response.

Section 4 Roles and Responsibilities (FA 3-2) describes the activities and responsibilities of the Emergency Management Director and/or Coordinator, Public Works Department, Fire Department, Police Department, and local utilities.

Section 5 Concept of Operations (FA 3-5) describes coordination activities. The City Public Works Department is the lead agency for infrastructure operations and solid waste (debris) management. Public Works will focus on restoring vital lifeline systems to the community, with an emphasis on critical roads. Public Works will also focus on supporting law enforcement, fire, and search and rescue services with evacuation and traffic control capabilities. Other operational priorities include, but are not limited to the following:

- Damage assessment
- Stabilization of damaged public and private structures to facilitate certain rescue and/or protect public's health and safety.
- Repair and restoration of damaged public systems (e.g., water, wastewater, and stormwater systems)
- Coordination with utility restoration operations (power, gas, and telecommunications)
- Prioritization of efforts to restore, repair, and mitigate infrastructure owned by the City and County

Currently, the City's Public Works Department consists of a Public Works Director who manages public works activities and staff, including a water treatment plant operator. The Public Works Department can be contacted by phone at 541-336-2247 extension 2070, including during nonbusiness hours and in the event of emergencies. After hours emergencies are routed through the Police Dispatch to proper personnel. Public Works Department contact information is available to the public on the City's website.

5.5 Short-term and Long-term Replacement Potable Water Supplies

5.5.1 Short-term Actions

The City has two water sources that are used during different seasons, as described previously. Depending on the time of year when an emergency occurs and the current water quality conditions in the source not being used, the City may be able to temporarily switch to the alternate source if supply is reduced or unavailable. The City's Water Curtailment Plan outlines further proactive measures that the City will take to reduce demand in response to the reduction or loss of water supply. The Water Curtailment Plan is a required component in the City's Water Management Conservation Plan (WMCP). The Water Curtailment Plan consists of four stages of water curtailment to be invoked in the event of a water supply shortage. These stages could be initiated and implemented in progressive steps, or a later stage could be implemented directly. For each stage of water curtailment, it identifies the conditions or events triggering the stage of curtailment and the measures that the City will implement in response.

Stages 1 through 3 describe water use restrictions and/or prohibitions aimed at reducing water demand and conserving water. Stage 4 of water curtailment, the most severe phase, describes how the City will proceed in the event that: maximum daily production of the WTP does not meet daily demand and water storage reservoirs fall to 50 percent of capacity; major damage to the water system occurs due to a natural disaster, fire, or criminal act; failure of a critical part of the water system or facility occurs; and/or major contamination of the water supply occurs, including, for example, a contamination event precluding the use of the Siletz River for a prolonged period of time during the peak demand season (from page 4-4 – 4-5 of WMCP). If the City has a short-term loss of water supply lasting a few hours to a few days, the City will depend on its reservoirs.

5.5.2 Long-term Actions

Depending on the water supply emergency, the City may need to switch between its water sources or construct new infrastructure to supply drinking water. Short-term replacement actions would need to continue until long-term actions restore the City's drinking water supply.

5.6 Short-term and Long-term Conservation Measures

The City's Water Curtailment Plan describes water conservation measures required under the different phases of water curtailment (See Section 4 in WMCP).

Stage 1: Water Supply Shortage Warning

Under Stage 1, the City will ask customers to voluntarily decrease indoor and outdoor water use by 10 percent, as well as to postpone new plantings. Voluntary actions include, but are not limited to: reducing outdoor watering, postponing washing outdoor surfaces, and looking for and fixing any indoor leaks.

Stage 2: Moderate Water Supply Shortage

Under Stage 2, the City will ask customers to take one or more of the following voluntary actions to curtail water use: cease washing vehicles at home, cease washing outdoor surfaces, cease filling swimming pools, cease using water to maintain water features, reduce indoor water use by fixing indoor leaks, reduce non-essential water use in commercial/industrial establishments.

The City may inform customers of the following mandatory action to curtail water use: restrict watering lawns, ornamental/landscaping plants, and vegetable gardens to 3 days per week and only before 9 am or after 9 pm.

Stage 3: Severe Water Supply Shortage

Under Stage 3, voluntary water use reduction actions in Stage 2 will become mandatory and the City will implement additional mandatory water use reductions. The City will require that customers implement one or more of the following mandatory actions to curtail water use: no watering of lawns, but customers may hand irrigate ornamental/landscaping plants and vegetables before 9am or after 9pm; no planting of new lawns; cease washing vehicles at home; cease washing outdoor surfaces; cease filling swimming pools; cease using water to maintain water features, except those supporting fish life; cease non-essential water use in commercial/industrial establishments; cease allowing water to run to waste in any gutter or drain

The City will limit hydrant and water main flushing to emergencies under Stage 3.

Stage 4: Critical Water Supply Shortage

Under Stage 4, the City will require that customers implement one or more of the following mandatory actions: restrict indoor water use to only water uses essential for public health and safety; cease outdoor watering; cease water use in commercial/industrial establishments except for critical functions, such as fire protection.

5.7 Plan Testing, Review, and Update

To stay coordinated with the City's EOP, this Contingency Plan will be reviewed and updated when changes to emergency operations occur, which happens when a new senior elected or appointed official takes office or at a minimum of every five years to comply with State requirements.

5.8 Personnel Training

Personnel training is outlined in Section 6.2 in the City of Toledo's Emergency Operations Plan. This section outlines training essential response staff and supporting personnel to incorporate Incident Command System (ICS)/ National Incident Management System (NIMS) concepts in all facets of an emergency.

The City's Emergency Management Coordinator organizes training for City personnel and encourages them to participate in training sessions hosted by other agencies, organizations, and jurisdictions throughout the region. Current training and operational requirements set forth under NIMS have been adopted and implemented by the City. The Emergency Management Coordinator maintains records and lists of training received by City personnel (See Section 6.2 in EOP).

The City's training program includes conducting exercises annually to test and evaluate the Emergency Operations Plan. The City coordinates with agencies to conduct joint exercises that include a variety of tabletop exercises, drills, functional exercises, and full-scale exercises. The Emergency Management Coordinator will work with other City/County departments and agencies to identify and implement corrective actions and mitigation measures, based on exercises conducted through Emergency Management. Additionally, the Emergency Management Coordinator will conduct a review with exercise participants after each exercise. Reviews and reporting will also be facilitated after an actual disaster, which will include all agencies involved in the emergency response. The review following an actual incident will describe actions taken, identify equipment shortcomings and strengths, and recommend ways to improve operational readiness (See Section 6.4 in EOP).

Personnel training is outlined in Section 6.2 in the City of Toledo's Emergency Operations Plan. This section outlines training essential response staff and supporting personnel to incorporate Incident Command System (ICS)/ National Incident Management System (NIMS) concepts in all facets of an emergency.

The City's Emergency Management Coordinator organizes training for City personnel and encourages them to participate in training sessions hosted by other agencies, organizations, and jurisdictions throughout the region. Current training and operational requirements set forth under NIMS have been adopted and implemented by the City. The Emergency Management Coordinator maintains records and lists of training received by City personnel (See Section 6.2 in EOP).

5.9 Public Education

The City educates the public about threats, disasters, and what to do when an emergency occurs. The City maintains an active community preparedness program and recognizes that citizen preparedness and education are essential components of the City's overall readiness (See Section 6.5 in EOP). This information is housed in the Emergency Preparedness section of the City's website at <https://www.cityoftoledo.org/community/page/emergency-preparedness-0>. Information provided on the website includes resources for building an emergency preparedness kit, materials for preparing homes for fires, electrical and other related hazards, and materials to help prepare for the Cascadia Earthquake. The City also communicates with water customers via billing messages and other public outreach efforts.

5.10 Logistical and Financial Resources

Funding and maintaining this Contingency Plan along with an EMO are priorities for the City as they ensure the City's ability to respond to and recover from disasters that (Section 6.6 in EMO). In accordance with the Emergency Operations Plan, the Emergency Manager will work with City Council and community stakeholders to:

- Identify funding sources for emergency management programs, personnel, and equipment.
- Ensure that Council is informed of progress toward building emergency response and recovery capabilities and is aware of gaps to be addressed.
- Leverage partnerships with local, regional, and State partners to maximize use of scarce resources.

Resource requests and emergency/disaster declarations must be submitted by the Emergency Management Director to the County Emergency Manager according to provisions outlined under ORS Chapter 401 (See Section 1.9.1 in the EMO). Assistance from the State and Federal Emergency Management Agency (FEMA) may be available to the City (See Section 1.74 and 1.75 in the EMO). The State evaluates resource requests based on the goals and priorities established by the OEM Director. If the capabilities of the State are not sufficient to meet the requirements as determined by the Governor, federal assistance may be requested. FEMA provides resources, coordination, planning, training, and funding to support State and local jurisdictions when requested by the Governor.

In the case of fire emergencies, the City of Toledo Fire Chief and County Fire Defense Board Chief can contact the State Fire Marshall to mobilize and fund resources (See Section 1.9.1 in the EMO).

If an incident in the City requires major redirection of City fiscal resources, the City Council has authority to adjust budgets and funding priorities (See Section 1.9.2 in EMO).

SECTION 6: Future Water Sources

Drinking water protection planning can be used to identify areas that should be protected now so that they will provide high quality drinking water in the future, if the entity preparing the DWPP anticipates developing additional sources of water supply. The City currently has sufficient water rights for use of water from the Siletz River and the Mill Creek watershed and does not have any plans to seek additional water sources within the planning horizon of this DWPP. Specifically, the City has unused water rights capacity from two existing permits that authorize use of the Siletz River (up to 1.1 cfs under existing Permit S-9370 and up to 4 cfs under existing Permit S-44083), as described in the City's 2017 Water Management and Conservation Plan. In addition, water demand will likely decrease now that Seal Rock Water District has switched to Beaver Creek as its primary water source. However, Seal Rock Water District still relies on water from the City of Toledo as a backup water supply, such as in the event of a major Beaver Creek water infrastructure or water quality issue.

Currently, the need to plan for development of future water sources appears unnecessary. Nevertheless, implementing water conservation remains a critical, ongoing activity to help the City reduce water demand and prolong the City's ability to rely solely on its current water sources.

APPENDIX A

Public Outreach Examples

Drinking Water Protection Plan Public Meeting

In-person and remote attendance options available

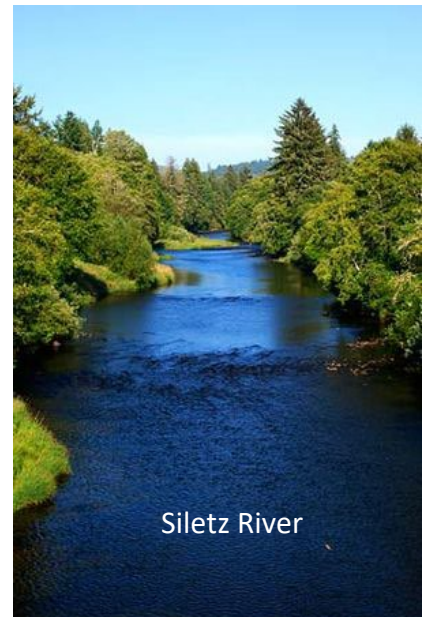
Monday, June 13 at 10 am

Location: Toledo Fire Station Training Room (285 NE Burgess Rd)

For a link to the Zoom meeting, visit the City's website.

MEETING WILL INCLUDE:

- Discussion about the process of developing the Drinking Water Protection Plan
- Overview of risks to the City's drinking water sources that have been identified and prioritized to date
- Time for public comments and questions



Community Input Needed



Please join us for a public meeting on June 13 to learn about threats to our drinking water sources and to provide input on the development of the City of Toledo's Drinking Water Protection Plan. The feedback you provide will help guide drinking water protection activities for years to come.

For information, please contact: Suzanne de Szoeki at sdeszoeki@gsiws.com or 541-257-9006



TOLEDO City News

FROM MAYOR ROD CROSS

June is usually the kick-off to summer. Memorial Day usually marks that seasonal occasion at the end of May. However, with the weather we have had so far, I wouldn't blame anyone, if you are not so sure!

Here at the City, we were pleased to begin our summer full of fun with Cycle Oregon "Gravel" riders last month. Hundreds of bicyclists exploring the Toledo area for two days and camping at Memorial Field. We hope that it may become an annual springboard to summer, as it was well received by all.

Looking forward, many events and opportunities await! June will see graduation from Toledo High School as a new group of young people make their way into the world. The Chamber of Commerce's Waterfront Market fires up at Memorial Field for an every-Thursday market June through August. The annual car show will be on the last weekend of June, and the Port has activities all summer for recreation and learning – for both kids and adults.

July will swing into high gear as the "Art, Oysters and Brews" series takes off on July 2, continuing on to August 6, and culminating in a two-day weekend on September 3-4. The weekend of July 15, Toledo will host a Van Life and Overland gathering (see www.thejournaloflosttime.com for more information). Waterfront Park and Memorial Field will be covered with 100-150 vehicles (vans of all kinds) full of visitors excited to spend time in our little town. Activities planned while they are here include an Art Toledo Crosswalk Chalk Art Contest. July will also see the debut of "Drive-In Movies", a collaborative venture with the City of Siletz, happening throughout the summer, in both cities.

August will feature the Wooden Boat Show's return – I am SO looking forward to it. September will close our summer with the Annual Art Walk and other festivities celebrating art and the artists who make Toledo their home.

Check out the Toledo Public Library for a summer full of fun for children and adults. Help us meet our goal of reading 1,000 books this summer. I know I have forgotten some activities, but you can always do what I do – go to the City's website at www.cityoftoledo.org and check out the "Community" tab. It holds several lists of upcoming events.

Public Meeting: Your Input Is Needed For A Plan to Protect Our Drinking Water Sources

Please join us on **June 13 at 10 am** at the Toledo Fire Station (285 NE Burgess Rd) to share input and feedback on potential risks to our drinking water sources. Your input at this stage is critical—it will help us to build a comprehensive plan that guides protection of our water supply for our community now and in the future.

The in-person public meeting will be the first of two opportunities to weigh in on the City's efforts to develop a Drinking Water Protection Plan. Remote participation may be viewed via Zoom at the following link:

<https://zoom.us/j/94957578227?pwd=VFVycTA2TXV1TnUvZ2lxbFFZRmt1Zz09>

The City received funding from the Oregon Health Authority in 2021 to develop a Drinking Water Protection Plan for our water sources, the Siletz River and Mill Creek watershed. The DWP Plan will identify and prioritize potential risks to drinking water sources, outline strategies to reduce these risks, and describe the City's approach for implementing the strategies. To guide the development of the plan, the City assembled a Drinking Water Protection Plan Team consisting of Toledo community members and technical experts in the region. A draft list of potential risks to drinking water sources that have been identified and prioritized thus far will be presented at this meeting.

To learn more about the Drinking Water Protection Plan, visit the City's website or contact Suzanne de Szoeki at sdeszoeki@gsiws.com or 541-257-9006.

Drinking Water Protection Plan Public Meeting

In-person and remote attendance options available

Thursday, March 23 from 12 PM-1 PM

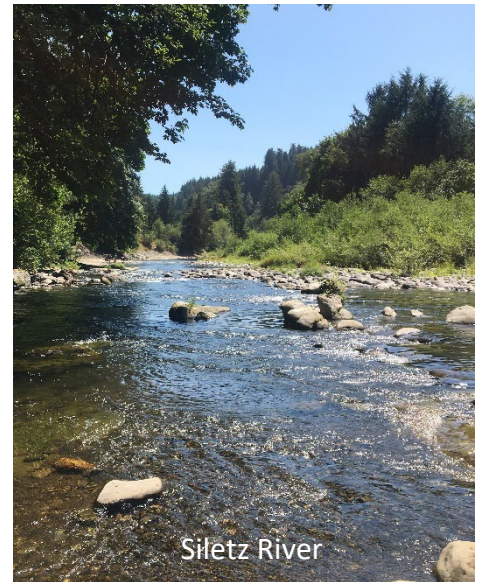
Location: Toledo Fire Station Training Room (285 NE Burgess Rd)

A pizza lunch will be provided for in-person attendees.

*For the draft plan and a link to the Zoom meeting, visit
the City's website.*

MEETING TOPICS WILL INCLUDE:

- Overview of the process of developing the Drinking Water Protection Plan
- Key elements of the Plan, including threats to the source watersheds, strategies to address risks, and the implementation plan
- Time for public comments and questions



Your Input Needed



Please join us for a public meeting on March 23 to learn about the City of Toledo's draft Drinking Water Protection Plan. Your ideas and feedback will help guide drinking water protection activities for years to come.

For information, please contact: Suzanne de Szoeko at sdeszoeke@gsiws.com or 541-257-9006

Facebook Post

On March 23, share your thoughts on the City of Toledo's draft Drinking Water Protection Plan at a public meeting. The hybrid meeting will be held from 12 pm to 1 pm at the Toledo Fire Station Training Room (285 NE Burgess Road) and live on Zoom. A pizza lunch will be provided for in-person attendees.

To read the draft plan, join the Zoom meeting, or view the meeting recording, please visit the City's Drinking Water Protection Plan webpage at

<https://www.cityoftoledo.org/planning/page/drinking-water-protection-plan-public-meeting>.

We encourage community members in the City and its source watersheds (Mill Creek and the Siletz River) to provide input on the draft plan, which will guide drinking water protection activities for years to come. The draft plan describes risks to the City's source watersheds, strategies to address risks, and proposed implementation actions. A team of local stakeholders and technical experts guided development of the draft plan.

PRESS RELEASE

FOR IMMEDIATE RELEASE

March 14, 2023

Contact:

Suzanne de Szoeki
GSI Water Solutions, Inc.
sdeszoeki@gsiws.com
541-257-9006

The City of Toledo Seeks Community Input on Drinking Water Protection Plan

TOLEDO, Oregon – On March 23, the City of Toledo will host a public meeting to discuss a draft Drinking Water Protection Plan. Community members in the City and its source watersheds (Mill Creek and the Siletz River) are encouraged to attend. The hybrid meeting will be held from 12 pm to 1 pm at the Toledo Fire Station Training Room (285 NE Burgess Road) and live on Zoom. A pizza lunch will be provided for in-person attendees.

The City seeks community input on the draft Drinking Water Protection Plan, which will guide drinking water protection activities for years to come and support the City's ability to continue to provide a safe, reliable drinking water supply. The meeting will provide an overview of the plan development process and present key elements of the plan, including threats to the City's source watersheds, strategies to address risks, and proposed implementation actions. Members of the public will be able to ask questions and share their thoughts on the draft plan. Those unable to attend will be able to view a recording of the meeting and submit comments and questions later.

The planning process has been made possible by a grant from the Oregon Health Authority, which enabled the City to engage a team of local stakeholders and technical experts to develop a plan to protect the water supply while considering diverse perspectives and interests in water. In June 2022, the City hosted a public meeting to discuss potential risks to the City's drinking water sources, Mill Creek and the Siletz River.

To read the draft plan, join the Zoom meeting, or view the meeting recording, please visit the City's Drinking Water Protection Plan webpage at <https://www.cityoftoledo.org/planning/page/drinking-water-protection-plan-public-meeting>.

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https://www.newportnewstimes.com/news/toledo-seeks-input-on-drinking-water-protection-plan/article_dded96fa-c435-11ed-bb2c-1bb8aa011912.html

Toledo seeks input on drinking water protection plan

Mar 17, 2023

On Thursday, March 23, the city of Toledo hosts a public meeting to discuss a draft Drinking Water Protection Plan. People living in the city and its source watersheds (Mill Creek and the Siletz River) are encouraged to attend. The hybrid meeting will be held from noon to 1 p.m. at the Toledo Fire Station Training Room (285 NE Burgess Road) and live on Zoom. A pizza lunch will be provided for in-person attendees.

The Drinking Water Protection Plan will guide drinking water protection activities for years to come and support the city's ability to continue to provide a safe, reliable drinking water supply. The meeting will provide an overview of the plan development process and present key elements of the plan, including threats to the city's source watersheds, strategies to address risks, and proposed implementation actions. Members of the public will be able to ask questions and share their thoughts on the draft plan. Those unable to attend will be able to view a recording of the meeting and submit comments and questions later.

The planning process was made possible by a grant from the Oregon Health Authority, which enabled the city to engage a team of local stakeholders and technical experts to develop a plan to protect the water supply while considering diverse perspectives and interests in v

More Information

To read the draft plan, join the Zoom meeting, or view the meeting recording, visit the city's Drinking Water Protection Plan webpage at <https://www.cityoftoledo.org/planning/page/drinking-water-protection-plan-public-meeting>.

FROM PUBLIC WORKS DIRECTOR BILL ZUSPAN

Each month, the City compares water production to “unaccounted-for” water usage, which allows a utility to account for 85% or more of its water production, through metering and system maintenance records. Toledo accounted for almost 90 per cent of its water, with only a 10.65 % unaccounted-for water loss. This is within the parameters for an “excellent” status, under the guidelines. Recently, some Oregon cities have suffered as much as a 38-44% unaccounted-for loss of treated water.

JANUARY 2023

Gallons produced by WTP	17,040,826
Billable Consumed Water	13,542,916
NON-Billable Consumed Water	1,459,000
Fire Department Usage	143,000
Public Works Usage	77,310
TOTAL Accounted-For Gallons	<u>15,222,226</u>
Difference of 10.65%	1,818,600

H-2-O: “HELP TO OTHERS”

City of Toledo asks for donations to help support residents in need of assistance with water bill payments. Your donation is voluntary and will assist those who have made a good faith effort to pay their bill. Please call City Hall at **541-336-2247** for more info.

On a different note, be watching for new playground equipment scheduled to be installed at Memorial Park, the first part of March. The structure and playground section of the Park will be closed while installation takes place.



Public Meeting March 23 on Drinking Water Protection Plan

The City of Toledo will be hosting a public meeting on Thursday, **March 23 from 12-1pm at the Toledo Fire Station Training Room**, 285 NE Burgess Road. This meeting is a chance for community members to learn about and provide input on the City’s draft Drinking Water Protection Plan.

A pizza lunch will be provided for in-person attendees. Remote participation is also available via Zoom. The Zoom link for those who wish to attend remotely will be posted on the City’s website shortly before the event at:

<https://www.cityoftoledo.org/planning/page/drinking-water-protection-plan-public-meeting>.

The draft Drinking Water Protection Plan is also available for your review at this webpage.

At the March 23 meeting, we will be discussing and seeking comment on elements of the draft Drinking Water Protection Plan, including:

- Potential threats to our drinking water sources
- Strategies to address these risks and keep our source watersheds healthy
- Plans for addressing water shortages
- Proposed implementation action plan

Drinking water in Toledo comes from the Mill Creek watershed and the Siletz River. With grant funding from the Oregon Health Authority, the City has assembled a Drinking Water Protection Plan Team consisting of community members and technical experts to develop a plan to protect the water supply we all depend on.

If you cannot attend the meeting, you will be able to view a recording and provide feedback. To read the draft plan and view the recording, please visit the City’s website at www.cityoftoledo.org . For more information, please contact Suzanne de Szoeki at sdeszoeki@gsiws.com or 541-257-9006.

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	June 28,2023	Approve Intergovernmental Agreement for contract planning services
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to approve an Intergovernmental Agreement with Oregon Cascades West Council of Governments for contract planning and GIS Services and authorize the City Manager to sign the agreement.

Background:

Justin Peterson has been providing contract planning services for the City of Toledo for several years and doing an excellent job. He is also working on updating the Comprehensive Plan for the City. He is an excellent resource and we would like to keep his services for one day per week as in the past. Staff is not expecting to use Council of Governments for GIS services but have in the past.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2023-2024	N/A

Attachment:

1. Intergovernmental agreement for Contract Planning Services

INTERGOVERNMENTAL AGREEMENT
Between
CITY OF TOLEDO (CITY)
and
OREGON CASCADES WEST COUNCIL OF GOVERNMENTS
(OCWCOG)
For
Planning Services and Geographic Information Services

This Agreement is made and entered into upon execution by and between CITY OF TOLEDO, a municipal corporation of the State of Oregon, hereinafter known as CITY, and OREGON CASCADES WEST COUNCIL OF GOVERNMENTS, hereinafter known as OCWCOG, Oregon 190.010 intergovernmental agencies.

Recitals

- A. ORS 190.010 permits units of local government agencies to enter into agreements for the performance of required duties or the exercise of permitted powers.
- B. CITY has the need for Planning services and Geographic Information Services (GIS).
- C. OCWCOG has staff with the proper credentials, licensing and experience to provide such services.

THEREFORE, the parties to this intergovernmental agreement agree to the following terms and conditions:

Agreement

SECTION 1. SCOPE OF SERVICES

This Agreement shall be for the purpose of providing general planning services to the CITY on a weekly basis to address the demand for land use, code review, comprehensive plan updates, property development, Lincoln County permitting, and similar planning efforts. In addition, the modernization and maintenance of baseline geographic data will continue. The objective is to provide a consistent information base for land development, conservation, public works, infrastructure, utilities, economic, and demographic considerations and analysis. The information will assist in making community planning and maintenance decisions. The activities and priorities that shall guide this Planning and GIS work are described in Exhibit A.

SECTION 2. CITY RESPONSIBILITY

- A. CITY will provide access to records and planning documents relevant to work requested.
- B. CITY shall prioritize and communicate planning activities to OCWCOG; provide direction as tasks are completed for any follow-up activities;

- C. CITY shall prioritize GIS activities for maintenance, new data collection, analysis, reporting, and data enhancements.
- D. CITY shall maintain existing GIS licensing and coordinates with OCWCOG any changes to license agreements.
- E. CITY shall provide workspace and equipment for onsite performance of planning activities as requested.
- F. CITY shall pay mileage expense to OCWCOG staff directly for work required to be conducted on-site at the standard current federal mileage reimbursement rate.
- G. CITY shall pay OCWCOG within thirty (30) days after receiving OCWCOG's quarterly invoice.

SECTION 3. OCWCOG RESPONSIBILIITY

- A. OCWCOG will respond to CITY requests of planning services in a timely manner.
- B. OCWCOG will assist the City Administrator or designated staff in identifying areas of need.
- C. OCWCOG will provide consistent access to staffing during hours negotiated with the CITY (onsite and/or from OCWCOG locations) and coordinate additional planning support hours as requested.
- D. OCWCOG will be on-site one day a week (typically Wednesdays) and will provide one week's notice on weeks on-site service is not available.
- E. OCWCOG will track time spent on planning tasks.
- F. OCWCOG will produce maps, reports, and analysis upon request.
- G. OCWCOG will submit quarterly billing for actual work completed during the period.
- H. OCWCOG will coordinate any subcontract or student work with mutual agreement by the CITY.

SECTION 4. PROVISIONS

- A. Contract Period: This agreement shall be effective July 1, 2023 and shall terminate on June 30, 2025, unless this agreement is hereafter modified in writing.
- B. Payment: OCWCOG shall invoice CITY quarterly for actual hours worked at the OCWCOG hourly rate as shown in ATTACHMENT A, plus any direct expenses related including printing and GIS licensing as applicable. Rates will be assessed and may be updated annually.
- C. Termination: This agreement may be terminated by either party. Suspension in whole or in part of this agreement by either party will require thirty (30) days written notice to the other party. In the event of termination, CITY shall compensate OCWCOG for all services provided through the date of termination.

- D. Assignability: This contract is for the exclusive benefits of the parties hereto. It shall not be assigned, transferred, or pledged by either party without the prior written consent of all the remaining parties.
- E. Discrimination: The parties agree to comply with all applicable federal, state, and local laws, rules, and regulations on nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, disability, sexual orientation, gender identity or source of income.
- F. Indemnification: To the extent possible under the limits of the Oregon Tort Claims Act for local governments, CITY and OCWCOG shall hold each other harmless, indemnify and defend each other's officers, agents and employees from any and all liability, actions, claims, losses, damages or other costs that may be asserted by any person or entity arising from, during, or in connection with the performance of the work described in this agreement, except liability arising out of the sole negligence of either party or its employees. Such indemnification shall also cover claims brought against either party under state or federal workers compensation laws. If any aspect of this indemnity shall be found to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this indemnification.
- G. Public Contracts: All parties shall comply with all federal, state, and local laws, ordinances and regulations applicable to the work under this agreement, including, without limitation, the applicable provisions of ORS chapters 279A, B and C, particularly 279B.220-279B.235, as amended.
- H. Personal Identifying Information: OCWCOG agrees to safeguard personal identifying information in compliance with Oregon Revised Statutes ORS 646A.600, the Oregon Consumer Theft Protection Act and the Fair and Accurate Credit Transaction Act Provisions of the Federal Fair Credit Reporting Act. In the event of any inadvertent disclosure or release of information protected by any of these provisions, OCWCOG shall immediately notify CITY and shall hold harmless, defend, and indemnify CITY for any costs related to notification, mitigation or remediation required by the disclosure by CITY.
- I. Waiver: Waiver of any breach of any provision of this agreement by either party shall not operate as a waiver of any subsequent breach of this same or any other provision of this agreement.
- J. Dispute Resolution: Unless otherwise provided in this Agreement, all claims, counterclaims, disputes and other matters in questions between OCWCOG and the CITY arising out of or relating to this Agreement or the breach of it will be decided, if the parties mutually agree, by mediation, or if they fail to agree, by arbitration. Arbitration will be conducted according to rules and procedures set out by the Arbitration Service of Portland, or as otherwise agreed by the parties.
- K. Workers Compensation: All employers, that employ subject workers, as defined in ORS 656.027, shall comply with ORS 656.017 and shall provide workers' compensation

insurance coverage for those workers, unless they meet the requirement for an exemption under ORS 656.126(2). Recipient shall require and ensure that each of its subcontractors complies with these requirements.

- L. Severability: If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.
- M. Amendments: Any amendment to this agreement shall be in writing and signed by authorized representatives of both parties. There are no understanding, agreements, or representations, oral or written, regarding this agreement except as specified or referenced herein.

Signed:

Ryan Vogt
Executive Director
Oregon Cascades West Council of Governments
1400 Queen Ave SE Ste. 201
Albany, OR 97322

Judy Richter
City Manager
City of Toledo
206 N. Main St.
Toledo, OR 97391

Date: _____

Date: _____

EXHIBIT A

WORK PLAN

This Work Plan is an authorization to proceed on the work activities and priorities described as follows:

OCWCOG estimates approximately 50-60 hours per month will be expended for core services. The amount of hours per month may vary depending on the number of building permits, land use applications, public meetings, and other requested work. OCWCOG anticipates continuing to be on-site on Wednesdays (8-10 hours with travel) plus answering inquiries off-site as needed. Total on-site hours on Planning Commission weeks or City Council weeks will be longer. If needed, OCWCOG can perform additional services to assist the Land Use Planning department as requested. To ensure that OCWCOG provides staffing appropriate to the needs of the City, a work plan has been developed to guide staff time. The following tasks are detailed below, and this work plan can be readjusted based on need.

Task 1: Staff Support at City Hall

Task 1.1: Counter Assistance - OCWCOG will provide staffing assistance at the counter and phone, helping customers with development questions, plan review, and general information. (Weekly)

Task 1.2: Pre-Application Review & Meetings – OCWCOG will be available to review pre-application materials, provide written or verbal input regarding concerns and/or applicable code requirements, and may also organize pre-application meetings, if invited. (As needed)

Task 1.3: Administrative Reviews – OCWCOG will process the City portion of building permits and on-site waste management permits from Lincoln County. OCWCOG will review sign permits and determine compliance with the sign ordinance. OCWCOG will review Land Use Compatibility Statements (LUCS) and determine compliance with the comprehensive plan and development code. LUCS determinations will be sent to the City Manager for final review and signature. (Weekly)

Task 1.4: Land Use Application Review – OCWCOG will review land use applications including completeness checks, preparing the public notice support, writing the staff report, packet preparation support, notice of decision, and final order of approval support. (Weekly)

Task 1.5: Planning Commission, City Council, and committee meetings – OCWCOG will attend Planning Commission on a monthly basis. OCWCOG will attend City Council and committee meetings on an as needed basis. Expectations of OCWCOG may include: providing technical assistance to Staff and Planning Commission, making recommendations for topics the Planning Commission might like to discuss in their deliberations, when appropriate, and review of Federal, State, and local regulations as needed to provide accurate and appropriate information to the Planning Commission. If requested, staff will provide planning support and planning update presentations for Planning Commission, City Council, or at committee meetings. (Monthly)

Task 2: Long Range Planning Tasks

Task 2.1: Process Update – If requested, OCWCOG will review and assist in a form consolidation and update process, and work with City Staff to integrate these new forms into their existing process. If requested, OCWCOG will review the Staff Report format to make the document more readable for the average person, and the Planning Commission. (As needed)

Task 2.2: Code Update Recommendations – OCWCOG will review the Toledo Municipal Code while working on other projects and provide City Staff with a list of recommended updates and/or additions to enhance the existing code language. (As needed)

Task 2.3: Planning Studies and Grant Applications – If requested, OCWCOG will apply for and administer grant applications. If requested, OCWCOG will lead or participate in administering planning studies. (As needed)

Task 2.4: Geographic Information Systems (GIS) – As requested, OCWCOG will provide GIS services including developing an online GIS viewer (As needed).

Task 2.5: Comprehensive Plan Update – Complete the Comprehensive Plan Update process as specified in the scope approved by the city in February 2022. Comprehensive Plan Update hours are in-addition to the normal workload (Weekly)

Task 3: Staff Support outside of City Hall

Task 3.1: General Staff Support – OCWCOG will be available to respond to planning inquiries in person, by phone, or by email to City staff and the general public. (Weekly)

ATTACHMENT A

HOURLY RATES

OCWCOG's hourly rates as of July 1, 2023:

➤ Program Director	\$147.00
➤ Transportation Manager	\$128.00
➤ GIS Analyst (Planner I)	\$110.00
➤ Clerical Supervisor	\$105.00
➤ Assistant Planner	\$ 97.00
➤ Administrative Assistant	\$ 85.00

The CITY understands that these rates may be changed by OCWCOG through an amendment process during the terms of this agreement. OCWCOG and the CITY may agree to amend this agreement to incorporate new rates. The CITY reserves the right to terminate the agreement if a satisfactory rate adjustment cannot be agreed upon.

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	June 28, 2023	Outdoor event application – Street closure request (City of Toledo/ART Toledo)
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Recorder L. Figueroa	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to approve the street closure request for Art, Oysters & Brew as presented.

Background:

ART Toledo is preparing for its Art, Oysters & Brews (AOB) summer series again this year and wishes to close a portion of Main Street for all three event dates [map attached]. AOB will be held the first Saturdays in July (1), August (5) and Labor Day weekend in September (2).

Staff has been working on notifying business owners in regards to the street closure for each of the events.

Fiscal Impact:	Fiscal Year:	GL Number:
N/A	2023-2024	N/A

Attachment:

1. Outdoor event application
2. Map



CITY OF TOLEDO
Outdoor Public Events, Entertainments
and Assemblies Permit Application

Criteria for Approval/Denial of Application:

In issuing a permit for a special event, the City considers whether:

- The event is reasonably likely to cause injury to persons or property.
- The proposed location is adequate for the size and nature of the event.
- All permit requirements have been met.
- ODOT and/or Lincoln County Permits have been secured (if applicable).
- OLCC permit has been obtained (if applicable).
- All required insurance documents are submitted.
- Previously identified issues have been addressed in the application.
- Public safety and public works employees are available to assist with the event.
- There are conflicts with other events or festivals previously scheduled.
- Traffic there will be impacts to transportation system or major traffic routes in, out and through the City of Toledo.

APPLICANT/ORGANIZATION INFORMATION (PERSON/GROUP RESPONSIBLE)

Sponsoring Organization Name: City of Toledo/ART Toledo

Organization Type: ☐ For profit ☐ Non-profit ☒ Other(type below):

List other type here: Municipal Government

Contact Name

(If different from applicant):

Lisa Figueroa

Phone Number:

541-336-2247x2060

Business Phone:

Organization address:

206 N. Main Street

Toledo

OR

97391

City

State

Zip Code

Mailing address

(If different from above):

PO Box 220

Toledo

OR

97391

City

State

Zip Code

E-mail address:

Lisa.figueroa@cityoftoledo.org

ALTERNATE CONTACT & POINT OF CONTACT AT EVENT

Alternate Contact: Judy Richter

Alternate Contact Phone #: 541-336-2247x2020

Contact Person (on-site at event): Lisa Figueroa

Cell Phone during event:



CITY OF TOLEDO
Outdoor Public Events, Entertainments
and Assemblies Permit Application

EVENT INFORMATION

Name of Event: Art, Oysters & Brews

Event occurrence?: ☐ Once (1x) ☐ Weekly ☒ Monthly ☐ Other*
 *List how often event will occur (e.g. bi-weekly) _____

Date(s) of Event: July 2; August 6; September 3 & 4, 2022

Starting time: 12:00 (a.m. / p.m.) Ending time: 5:00 (a.m. / p.m.)

Event Location: Main Street between Graham and 2nd Street
 *Note: Except for Memorial Field all City parks are available on a first come first serve basis. The Waterfront Pavilion is managed and maintained by the Port of Toledo.

Setup date(s) (if different from day of event): Starting time 9:00 (a.m. / p.m.) Ending time 12:00 (a.m. / p.m.)

Take down date(s) Starting time 5:00 (a.m. / p.m.) Ending time 6:00 (a.m. / p.m.)

This event is a (check all that apply):
☐ Bicycle event ☐ Celebration of Life ☐ Competition
☐ Concert ☐ Church/Religious event ☐ Festival
☐ Market/Sales event ☐ Reunion ☐ Run/Walk
☒ Other
 (please briefly explain here): Street/Artisan Event

Event (brief) description: The event is similar to last year's event with vendors, music, and outdoor street 'fair' and closing a portion of Main Street

Estimated attendance per day: ☐ 0-49 ☒ 50 or more

Public right of way (ROW) or street location: ☐ Sidewalk only ☐ Street Only ☒ Street & Sidewalk

SITE LAYOUT, TRAFFIC CONTROL & PARKING

Will the event require the closure of public streets? ☒ Yes ☐ No ☐ Not sure
 (**Required:** a legible and detailed map that includes the start point, end point, direction of travel and street names)
 Name(s) of streets to be closed (attach additional closures on a separate sheet if necessary)
 Main Street (see attached map) Between: Graham And: Second
 Between And

Will your street closure request affect Lincoln County Transit or the School District bus route? ☒ Yes ☐ No ☐ Not sure

Will the event require use of sidewalks or other public Right of Way? ☒ Yes ☐ No ☐ Not sure

*Note: Public Right of way refers to the type of easement that is reserved over the land for public use such as the area between the sidewalk and the road.
 *Note: If the event requires that a street will be closed/blocked, an 11-foot fire lane must be provided.

All applicants must attach a Site Layout Plan and Traffic Control Plan to this application; however components required will vary by event.



CITY OF TOLEDO

Outdoor Public Events, Entertainments and Assemblies Permit Application

Site Layout Plans include at a minimum the location of tents, stages, portable restrooms, fencing, food booths, alcoholic/non-alcoholic beverage booths as well as adequate parking facilities (such parking facilities shall provide parking space for one vehicle for every four persons expected or reasonably expected and adequate ingress and egress to/from parking area and any other components of the event the City may request.

Traffic Control Plans include at a minimum, the location of barricades, directional signs, certified flaggers, course marshals, assembly and/or production facilities, emergency access routes, aid and first aid stations, trash and recycling receptacles, parking and any other components of the event. Traffic control devices such as barricades may be rented or purchased from local companies.

***Note:** Approved temporary events that require City resources (e.g. staffing, supplies, barricades, etc.) may require fees, which will be assessed on a case by case basis.

Do you intend to use a City owned parking lot?

☒ Yes

☐ No

If yes, please name the location:

Parking lot at the corner of Main St/Graham

ADDITIONAL CONSIDERATIONS

Will food be served or prepared at your event?

☒ Yes

☐ No

Food will be provided by vendors.

Will alcoholic beverages be available at your event?

☒ Yes

☐ No

Alcohol will be provided by separate vendors.

If so, you or the alcoholic beverage provider must obtain an Oregon Liquor and Cannabis Commission (OLCC) permit by calling 541-265-4522 or visit www.oregon.gov/olcc for more information. A copy of your application must be provided to the City.

Will there be any live or amplified entertainment, music or noise generated at your event?

☒ Yes

☐ No

***Note:** Amplified music or noise is prohibited within one thousand (1,000) feet of any residence between the hours of 12:01 a.m. and 9:00 a.m. and in all other areas between 2:00 a.m. and 9:00 a.m.

***Note:** The event sponsor shall obtain all music licensing and copyright licenses required for all music presentations and performances.

Will you need access to power/electricity for your event?

☒ Yes

☐ No

Will you need access to water for your event?

☒ Yes

☐ No

Will your event require restroom facilities?

☐ Yes

☒ No

Do you plan to setup a structure (e.g. Recreational Vehicle) as a living quarter or to conduct business at your event?

☐ Yes

☒ No

If so, a Temporary use permit application will need to be completed and submitted with the associated fee for your special event structure.

Will your event have overnight camping/sleeping?

☐ Yes

☒ No

Have you arranged for certified security at your event?

☐ Yes

☒ No

If so, who will provide security?

Phone number:

E-mail address:

Details of security plan:

***Note:** Private Security must be certified and licensed as an Event and Entertainment Professional by the Oregon Department of Public Safety Standards and Training.

Describe your Emergency Medical Services Plan (including first aid stations, first aid kits, equipment such as AEDs, etc.)



CITY OF TOLEDO

Outdoor Public Events, Entertainments and Assemblies Permit Application

The City recommends at least one trained emergency services provider (Advance Life Support ALS, Basic Life Support BLS or First Aid CPR) be present on-site throughout the temporary event.

Describe your plans for trash minimization and removal. Recycling is strongly encouraged. (Include information such as to the number, types and locations of all recycling and trash receptacles, a schedule for monitoring and emptying receptacles and plans for cleaning up debris not placed in receptacles and who will provide trash related services. Attach additional sheets if necessary.)

APPLICANT ACKNOWLEDGEMENT

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL ADDITIONAL PERMITS, LICENSES, AND INSURANCE CERTIFICATES REQUIRED UPON THE ISSUANCE OF THIS TEMPORARY EVENT PERMIT. Please fulfill all of the obligations listed below before submitting this application. Once all of these obligations are complete you must place your initials in all of the designated areas marked with a () and then sign and date at the bottom.

(LF) CLEAN UP: Applicant agrees to promptly clean up all paper or debris caused by applicant's use of the area and understands that if such cleanup is not promptly undertaken the City reserves the right to do the cleaning itself and to charge the applicant for the actual time and expense incurred. The City reserves the right to deny future Outdoor Event Permit requests should applicant not fulfill all conditions of this permit application.

(LF) INSURANCE: Applicant agrees to provide a policy of liability insurance, specific to the Event, as above-described in the Insurance Requirements Section, and further described in this Paragraph. This insurance shall provide coverage for not less than \$1,000,000 for personal injury to each person, \$1,000,000 for each occurrence involving property damage; or a single limit policy of not less than \$2,000,000 covering all claims per occurrence. The limits of the insurance shall be subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon. This insurance shall be without prejudice to coverage otherwise existing insurance and shall name as additional insured the City of Toledo and its officers, agents, directors, employees and volunteers as an additional insured by endorsement. The sponsor agrees to maintain continuous coverage for the duration of the permit.

(LF) INDEMNITY: Applicant agrees to defend, indemnify and hold the City of Toledo harmless from and against all claims, losses, and liability arising out of personal injuries, including death, and damage to property which are caused by applicant, or arising out of or in any way connected with the activities conducted pursuant to this application. The last page of this application contains an agreement form that you must sign and date before this application is reviewed.

(LF) CITY CODES/PERMITS: Applicant agrees to obtain all city permits and licenses that may be required, and shall comply with all other city laws and other conditions that the City Manager determines necessary.

(LF) CONDUCT/NUISANCES: Applicant understands that if the outdoor activity is conducted in such a way as to create a nuisance for any business or resident of the area, future permits may be denied for that reason alone. Applicant will be notified as soon as practical that the activity engaged in created a nuisance and may ask for a review of such determination. *insert statement about public safety and shutting down an event.

(LF) SITE /TRANSPORTATION MAP: This application will not be processed unless a detailed site map is included. Indicate location of tents, stages, portable restrooms, fencing, food booths, alcoholic and non-alcoholic beverage booths, etc. Transportation/route maps should include: location of barricades, directional signs, certified flaggers and course marshals, assembly and/or production facilities, emergency access routes, aid and first aid stations, porta-potties, trash and recycling receptacles, parking, etc.

(LF) I have read all information contained within the City of Toledo's Temporary Event Permit Application Packet and agree to abide by the terms and conditions contained herein.



CITY OF TOLEDO

Outdoor Public Events, Entertainments and Assemblies Permit Application

INDEMNIFICATION AGREEMENT

GRANTEE ACKNOWLEDGES AND AGREES AS FOLLOWS:

The Applicant named below, its officers, employees and members shall, through the signing of this agreement by an authorized party or agent, hereby agrees, for and in consideration of the approval of the Event listed below, to be held on the date listed below, and to be held within the City of Toledo, to indemnify, defend and hold harmless the City of Toledo, a political subdivision of the State of Oregon, its officers, agents, directors, employees and volunteers, herein called "City," from any and all suits and claims, losses and liability, including attorney's fees, arising from injury or death to persons or damage to property occasioned by any act or omission arising out of or any way related to the event as described above, without limitation, or participation in the event as a participant, spectator, sponsor, promoter, agent or official. Applicant acknowledges that applicant has carefully read the foregoing and understands its contents. Applicant warrants that they are authorized to sign this document personally and on behalf of the organization or corporation sponsoring the event and does so freely and without reservation.

Applicant's Name: Lisa Figueroa

Sponsor Name: City of Toledo Date: 6/15/2023

Sponsor Signature by
authorized party: Lisa Figueroa

Name of the event: Art, Oysters & Brews

Date(s) of the event: July 1, August 5 & September 2, 2023



CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION

	Meeting Date:	Agenda Topic:
	June 28, 2023	Consideration of street closure requests for Summer Festival parades
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
Choose a name	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to approve the street closure requests for the Summer Festival parades.

Background:

The Summer Festival is coming back to Toledo this year following the pandemic which prohibited events for the last couple of years.

In addition to the festival, the Summer Festival committee will host two parades, one on July 14 for youth and another on July 15 for the community. They have requested street closures for both parades and have been in contact with the public safety departments. Copies of their applications are included. Staff makes no recommendation, but delighted to these events returning.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2022-2023	N/A

Attachment:

1. parade permit applications





CITY OF TOLEDO
Parade and Processions Permit Application

Parade Information

Type of Parade: Toledo Summer Festival Parade

Date of Parade: July 15th, 2023

Start time: 12:00 PM End time: ~ 1:30 P.M.

Anticipated number of Participants (if known):

Persons: ~ 100 Vehicles: ~ 60 Animals: ~ 25

Please indicate if any City services are needed: (Check all that apply)

*Use the map page to mark the requested parade route with assembling points, street closure and barricade placement. Street closure requests require City Council approval.

☒ Street Closure *subject to City Council approval

Date(s): 7/15/23

☒ Barricades

☐ Other type of service
*Please describe

Time: 10:00 AM - 2:00 PM

*Other: _____

Applicant/Organization Information

Applicant/Contact Name: Greg Musil

Organization Name: Toledo Summer Festival & Logging Show

Phone: 541-554-0669 E-mail address: gregmusil73@gmail.com

Mailing address: PO Box 326
Toledo OR 97391
City State Zip Code

Name/Number of Alternate Contact: Ron Bush 432-212-2055

Certification of Application

☒ Proof of Liability Insurance Included

☒ I certify all information submitted is complete and correct to the best of my knowledge.

GM Initials: I understand that the application may be held for approval until I provide Proof of Insurance.

Greg Musil
Signature

3/8/23
Date

CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION

	Meeting Date:	Agenda Topic:
	June 28, 2023	Consideration of a permit to consume alcohol in public places; Elks Lodge
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Recorder L. Figueroa	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Staff makes no recommendation. The City Council may make a motion to approve or deny the permit application request.

Background:

The Elks Lodge submitted an application last month for a permit to allow consumption of alcohol in public places for a beer garden during the Summer Festival at Memorial Field on the weekend of July 14.

They will be unable to host said beer garden at Memorial Field for the Summer Festival now and instead decided to host a beer garden on their property located at 123 SE Alder Street, Toledo on the same weekend. A copy of their Oregon Liquor and Cannabis Control application is attached.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2023-2024	N/A

Attachment:

1. Permit application

Toledo Elks Lodge 1664

123 SE Alder St

Toledo, Or 97391

June 20, 2023

OLCC Newport Office

Hand Delivered

Attn: Chelsea Rude and/or Agent

RE: OLCC Extension of Licensed Premises to an Outdoor Area

Chelsea:

Please find attached our Application for an Extension of our Licensed premises to an Outdoor Area. This is a fundraising event we will be holding in our Elks Parking lot on Friday, July 14, and Saturday, July 15, 2023.

I have included a layout for the event which includes our Lodge, parking lot, where a band will perform and where our beer garden will be held. Our hope is that you will allow us to use our parking lot with the proper procedures in place. Our parking lot will be blocked, so no cars can come in or go out during our hours of operation and a fire lane will be maintained. After 8pm no children under the age of 21 will be allowed in our beer garden which will be closed off with fencing. We will check ID on anyone who looks younger than 30. Once their ID has been confirmed they will be required to wear a brightly colored bracelet to let our servers know they are 21 and over. There will be one exit and one entry into the beer garden. This will all be monitored by on-site observers and alcohol monitors.

The Toledo Elks Lodge has hosted a beer garden without incident each of the prior 10 years and we intend to continue this trend.

Please feel free to call if you have any questions. My contact number is 541-272-2634.

Fraternally,



Barry Bruster

Exalted Ruler, 1664



CITY OF TOLEDO
Outdoor Public Events, Entertainments
and Assemblies Permit Application

Criteria for Approval/Denial of Application:

In issuing a permit for a special event, the City considers whether:

- The event is reasonably likely to cause injury to persons or property.
- The proposed location is adequate for the size and nature of the event.
- All permit requirements have been met.
- ODOT and/or Lincoln County Permits have been secured (if applicable).
- OLCC permit has been obtained (if applicable).
- All required insurance documents are submitted.
- Previously identified issues have been addressed in the application.
- Public safety and public works employees are available to assist with the event.
- There are conflicts with other events or festivals previously scheduled.
- Traffic there will be impacts to transportation system or major traffic routes in, out and through the City of Toledo.

APPLICANT/ORGANIZATION INFORMATION (PERSON/GROUP RESPONSIBLE)

Sponsoring Organization Name: Toledo ELKS Lodge #1664

Organization Type: ☐ For profit ☒ Non-profit ☐ Other(type below):

List other type here: _____

Contact Name
(If different from applicant):

Barry Brunster (Exalted Ruler)

Phone Number:

[REDACTED] Business Phone: 541-336-2276

Organization address:

123 SE Alder St.
Toledo OH 43391
City State Zip Code

Mailing address
(If different from above):

City State Zip Code

E-mail address:

Toledo ELKS1664@Hotmail.com

ALTERNATE CONTACT & POINT OF CONTACT AT EVENT

Alternate Contact:

Alternate Contact Phone #:

Debbay Lee
971-998-4762

Contact Person (on-site at event):

Barry Brunster

Cell Phone during event:

[REDACTED]



CITY OF TOLEDO
Outdoor Public Events, Entertainments
and Assemblies Permit Application

EVENT INFORMATION

Name of Event: Toledo Elks Lodge membership drive and community appreciation day

Event occurrence?: ☒ Once (1x) ☐ Weekly ☐ Monthly ☐ Other*

*List how often event will occur
(e.g. bi-weekly)

Date(s) of Event:

July 14, 15 2023

Starting time:

5:00 (a.m. / p.m.) Ending time: 11:30 (a.m. / p.m.)

Event Location:

123 SE Alder St.

**Note: Except for Memorial Field all City parks are available on a first come first serve basis. The Waterfront Pavilion is managed and maintained by the Port of Toledo.*

Setup date(s)

(if different from day of event):

Starting

time

____:____ (a.m. / p.m.)

Ending

time

____:____ (a.m. / p.m.)

Take down date(s)

Starting

time

____:____ (a.m. / p.m.)

Ending

time

____:____ (a.m. / p.m.)

This event is a (check all that apply):

☐ Bicycle event

☒ Concert

☐ Market/Sales event

☐ Other

(please briefly explain here):

☐ Celebration of Life

☐ Church/Religious event

☒ Reunion

☒ Competition

☒ Festival

☐ Run/Walk

Event (brief) description:

membership drive
In association with Toledo Summer Festival Elks
membership drive. Live music, alcohol, games, food. Sun.

Estimated attendance per day:

☐ 0-49

☒ 50 or more

Public right of way (ROW) or
street location:

☐ Sidewalk only

☐ Street Only

☐ Street & Sidewalk

Private property

SITE LAYOUT, TRAFFIC CONTROL & PARKING

Will the event require the closure of public streets?

☐ Yes

☒ No

☐ Not sure

(Required: a legible and detailed map that includes the start point, end point, direction of travel and street names)

Name(s) of streets to be closed (attach additional closures on a separate sheet if necessary)

Between

And

Between

And

Will your street closure request affect Lincoln County Transit or
the School District bus route?

☐ Yes

☒ No

☐ Not sure

Will the event require use of sidewalks or other public Right of
Way?

☐ Yes

☒ No

☐ Not sure

**Note: Public Right of way refers to the type of easement that is reserved over the land for public use such as the area between the sidewalk and the road.*

**Note: If the event requires that a street will be closed/blocked, an 11-foot fire lane must be provided.*

All applicants must attach a Site Layout Plan and Traffic Control Plan to this application; however components required will vary by event.



CITY OF TOLEDO
Outdoor Public Events, Entertainments
and Assemblies Permit Application

Site Layout Plans include at a minimum the location of tents, stages, portable restrooms, fencing, food booths, alcoholic/non-alcoholic beverage booths as well as adequate parking facilities (such parking facilities shall provide parking space for one vehicle for every four persons expected or reasonably expected and adequate ingress and egress to/from parking area and any other components of the event the City may request.

Traffic Control Plans include at a minimum, the location of barricades, directional signs, certified flaggers, course marshals, assembly and/or production facilities, emergency access routes, aid and first aid stations, trash and recycling receptacles, parking and any other components of the event. Traffic control devices such as barricades may be rented or purchased from local companies.

***Note:** Approved temporary events that require City resources (e.g. staffing, supplies, barricades, etc.) may require fees, which will be assessed on a case by case basis.

Do you intend to use a City owned parking lot?

☐ Yes

☒ No

If yes, please name the location: _____

ADDITIONAL CONSIDERATIONS

Will food be served or prepared at your event?

☒ Yes

☐ No

Will alcoholic beverages be available at your event?

☒ Yes

☐ No

If so, you or the alcoholic beverage provider must obtain an Oregon Liquor and Cannabis Commission (OLCC) permit by calling 541-265-4522 or visit www.oregon.gov/olcc for more information. A copy of your application must be provided to the City.

Will there be any live or amplified entertainment, music or noise generated at your event?

☒ Yes

☐ No

***Note:** Amplified music or noise is prohibited within one thousand (1,000) feet of any residence between the hours of 12:01 a.m. and 9:00 a.m. and in all other areas between 2:00 a.m. and 9:00 a.m.

***Note:** The event sponsor shall obtain all music licensing and copyright licenses required for all music presentations and performances.

Will you need access to power/electricity for your event?

☒ Yes

☐ No

Will you need access to water for your event?

☒ Yes

☒ No

Will your event require restroom facilities?

☒ Yes

☐ No

Do you plan to setup a structure (e.g. Recreational Vehicle) as a living quarter or to conduct business at your event?

☐ Yes

☒ No

If so, a Temporary use permit application will need to be completed and submitted with the associated fee for your special event structure.

Will your event have overnight camping/sleeping?

☒ Yes

☐ No

Have you arranged for certified security at your event?

☐ Yes

☒ No

If so, who will provide security? _____

Phone number: _____

E-mail address: _____

Details of security plan: _____

Observers, OLCC Certified Servers, ID Check, Brackets, Secure Ingress/Egress, Sign Lane, Secure No minors after 8 PM Beer Garden, See attached map.

***Note:** Private Security must be certified and licensed as an Event and Entertainment Professional by the Oregon Department of Public Safety Standards and Training.

Describe your Emergency Medical Services Plan (including first aid stations, first aid kits, equipment such as AEDs, etc.)

The City recommends at least one trained emergency services provider (Advance Life Support ALS, Basic Life Support BLS or First Aid CPR) be present on-site throughout the temporary event.



CITY OF TOLEDO
Outdoor Public Events, Entertainments
and Assemblies Permit Application

Describe your plans for trash minimization and removal. Recycling is strongly encouraged. (Include information such as to the number, types and locations of all recycling and trash receptacles, a schedule for monitoring and emptying receptacles and plans for cleaning up debris not placed in receptacles and who will provide trash related services. Attach additional sheets if necessary.)

Dahl trash service

APPLICANT ACKNOWLEDGEMENT

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL ADDITIONAL PERMITS, LICENSES, AND INSURANCE CERTIFICATES REQUIRED UPON THE ISSUANCE OF THIS TEMPORARY EVENT PERMIT. Please fulfill all of the obligations listed below before submitting this application. Once all of these obligations are complete you must place your initials in all of the designated areas marked with a () and then sign and date at the bottom.

(✓) **CLEAN UP:** Applicant agrees to promptly clean up all paper or debris caused by applicant's use of the area and understands that if such cleanup is not promptly undertaken the City reserves the right to do the cleaning itself and to charge the applicant for the actual time and expense incurred. The City reserves the right to deny future Outdoor Event Permit requests should applicant not fulfill all conditions of this permit application.

(✓) **INSURANCE:** Applicant agrees to provide a policy of liability insurance, specific to the Event, as above-described in the Insurance Requirements Section, and further described in this Paragraph. This insurance shall provide coverage for not less than \$1,000,000 for personal injury to each person, \$1,000,000 for each occurrence involving property damage; or a single limit policy of not less than \$2,000,000 covering all claims per occurrence. The limits of the insurance shall be subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon. This insurance shall be without prejudice to coverage otherwise existing insurance and shall name as additional insured the City of Toledo and its officers, agents, directors, employees and volunteers as an additional insured by endorsement. The sponsor agrees to maintain continuous coverage for the duration of the permit.

(✓) **INDEMNITY:** Applicant agrees to defend, indemnify and hold the City of Toledo harmless from and against all claims, losses, and liability arising out of personal injuries, including death, and damage to property which are caused by applicant, or arising out of or in any way connected with the activities conducted pursuant to this application. The last page of this application contains an agreement form that you must sign and date before this application is reviewed.

(✓) **CITY CODES/PERMITS:** Applicant agrees to obtain all city permits and licenses that may be required, and shall comply with all other city laws and other conditions that the City Manager determines necessary.

(✓) **CONDUCT/NUISANCES:** Applicant understands that if the outdoor activity is conducted in such a way as to create a nuisance for any business or resident of the area, future permits may be denied for that reason alone. Applicant will be notified as soon as practical that the activity engaged in created a nuisance and may ask for a review of such determination. *insert statement about public safety and shutting down an event.

(✓) **SITE /TRANSPORTATION MAP:** This application will not be processed unless a detailed site map is included. Indicate location of tents, stages, portable restrooms, fencing, food booths, alcoholic and non-alcoholic beverage booths, etc. Transportation/route maps should include: location of barricades, directional signs, certified flaggers and course marshals, assembly and/or production facilities, emergency access routes, aid and first aid stations, porta-potties, trash and recycling receptacles, parking, etc.

(✓) I have read all information contained within the City of Toledo's Temporary Event Permit Application Packet and agree to abide by the terms and conditions contained herein.



CITY OF TOLEDO
Outdoor Public Events, Entertainments
and Assemblies Permit Application
INDEMNIFICATION AGREEMENT

GRANTEE ACKNOWLEDGES AND AGREES AS FOLLOWS:

The Applicant named below, its officers, employees and members shall, through the signing of this agreement by an authorized party or agent, hereby agrees, for and in consideration of the approval of the Event listed below, to be held on the date listed below, and to be held within the City of Toledo, to indemnify, defend and hold harmless the City of Toledo, a political subdivision of the State of Oregon, its officers, agents, directors, employees and volunteers, herein called "City," from any and all suits and claims, losses and liability, including attorney's fees, arising from injury or death to persons or damage to property occasioned by any act or omission arising out of or any way related to the event as described above, without limitation, or participation in the event as a participant, spectator, sponsor, promoter, agent or official. Applicant acknowledges that applicant has carefully read the foregoing and understands its contents. Applicant warrants that they are authorized to sign this document personally and on behalf of the organization or corporation sponsoring the event and does so freely and without reservation.

Applicant's Name: Toledo Elks Lodge #1664

Sponsor Name: Barry Bruster Date: June 23 2023

Sponsor Signature by
authorized party: Barry Bruster

Name of the event: Toledo Elks Lodge membership drive and Community
appreciation day

Date(s) of the event: July 14, 15 2023



APPLICATION FOR TEMPORARY USE OF AN ANNUAL LICENSE (TUAL)

FULL ON-PREMISES SALES LICENSE TEMPORARY USE APPLICATION

- Sell at retail distilled spirits, malt beverages, wine, and cider by the drink for consumption in the special event licensed area.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons. You must not allow any other open container of alcohol to leave the licensed premises.
- Sell at retail malt beverages, wine, and cider in a factory-sealed container to consumers for consumption off the licensed premises.
- May deliver factory-sealed containers and securely covered containers (growlers) of malt beverages (beer), wine, and cider direct to consumer for consumption off the licensed premises; however, must follow the delivery rules under OAR 845-006-0392 and 845-006-0396. Delivery can only occur during the date and time of the special event.

LIMITED ON-PREMISES SALES LICENSE TEMPORARY USE APPLICATION

- Sell at retail malt beverages, wine, and cider by the drink for consumption in the special event licensed area.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons. You must not allow any other open container of alcohol to leave the licensed premises.
- Sell at retail malt beverages, wine, and cider in a factory-sealed container to consumers for consumption off the licensed premises.
- May deliver factory-sealed containers and securely covered containers (growlers) of malt beverages (beer), wine, and cider direct to consumer for consumption off the licensed premises; however, must follow the delivery rules under OAR 845-006-0392 and 845-006-0396. Delivery can only occur during the date and time of the special event.

OLCC LICENSE FEE

- The license fee is a \$10.00 per license day or any part of a license day. A license day is from 7:00 am to 2:30 am on the succeeding calendar day.
- **Make payment by check or money order, payable to OLCC.**
- **License Days:** In #11 below, you may apply for a maximum of **seven** license days per application form.

Process Time

OLCC needs your completed application in sufficient time to approve it. Sufficient time is typically 2 to 4 weeks before the first event date listed in #11 below (some events may need extra processing time). OLCC may refuse to process your application if it is not submitted in sufficient time for the OLCC to investigate it.

1. My Annual License is a: ☒ FULL ON-PREMISES ☐ LIMITED ON-PREMISES	
2. Licensee Name (please print): Elks Lodge #1664 Toledo	
3. Email: Toledoelks1664@hotmail.com	
4. Trade Name of Business: Toledo Elks Lodge #1664	5. Fax (Optional) None
6. Address of <u>Annual</u> Business: 123 SE Alder St.	7. City Toledo
8. Contact Person: Barry Bruster	9. Contact Phone: [REDACTED]
10. Event Name (if one): Toledo Elks Lodge membership drive and Community Appreciation Day	
11. Date(s) of event (no more than seven days): July 14, July 15	
12. Start/End hours of alcohol service: 5:00 (am/pm) to 11:30 (am/pm)	
13. Address of <u>Special Event</u> (Street, City and Zip): 123 SE Alder St. Toledo Or. 97391 outdoors.	

14. Is the event, or any part of the event, outdoors? ☒ Yes ☐ No Private property, parking lot, grass area - see attached map	
14a. If yes, submit a drawing showing the licensed area and its boundaries.	
15. List the name(s) and service permit number(s) of alcohol manager(s) on-duty and in the licensed area: Barry Bruster 9781 DW Debra Lee 5602H3	
16. What is the expected attendance <u>per day</u> in the area where alcohol will be sold or consumed? 250 If the expected attendance is 301 or more per day, the event must have at least \$300,000 of liquor liability insurance coverage (ORS 471.168) and you must <u>also</u> answer questions 17 and 18. If your answer is 300 or fewer per day, please skip questions 17 and 18.	
17. Insurance Company: Great American Insurance Co	18. Policy #: [REDACTED]
19. GOVERNMENT RECOMMENDATION: You must obtain a recommendation from the local city <u>OR</u> county <u>before</u> submitting this application to the OLCC.	
19a. Name the CITY if the event address is within a city's limits: Toledo	
OR	
19b. Name the COUNTY if the event address is outside the city's limits: Lincoln	

I affirm the following:

- Minors (people under the age of 21) and visibly intoxicated people will not be allowed to buy, possess, or consume alcohol.
- The only open containers of alcohol that may be taken off the licensed area are securely covered containers (growlers) of malt beverages, wine, or cider. I will not allow any other open container of alcohol to leave the licensed premises.
- Marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is prohibited on the special event licensed premises.
- The event will meet the food service requirements of a Temporary Use of an Annual License.
- I affirm I am authorized to sign this application on behalf of the applicant.

20. Licensee Name (print): <i>Barry Bruster</i>	
21. LICENSEE SIGNATURE: <i>Barry Bruster</i>	22. Date: <i>June 23, 2023</i>

CITY OR COUNTY USE ONLY The city/county named in #19 above recommends: ☐ Grant ☐ Acknowledge ☐ Deny (attach written explanation of deny recommendation) (Optional) City/County Contact Person: (Optional) Phone Number or Email: City/County Signature: _____ Date: _____	
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FORM TO OLCC: This license is valid only when signed by an OLCC representative. Submit this form to the OLCC office regulating the county in which your special event will happen.			
OLCC USE ONLY	Fee Paid:	Date:	Receipt #:
License is	Approved	Denied	
OLCC Signature:	Date:		



OREGON LIQUOR & CANNABIS COMMISSION

IDENTIFYING A SPECIAL EVENT LICENSED AREA

The OLCC is prohibited from licensing an area that does not have defined boundaries.

Please complete items 1 – 5 and then use the box below to draw the licensed area.

1. Applicant Name (please print): E/Ks Lodge 1664 - Toledo

2. Event Street Address: 123 SE Alder St

3. City/County: Toledo / Lincoln

4. Date(s) of Event: 7-14, 7-15

5. Please list and describe what barrier(s) will be used to define the boundaries of the licensed area. For example: "A 6 foot high wooden fence." Area is surrounded by hill side with heavy shrubs/Brush with the following exceptions. Stairs leading to 2nd St. Roped off, Access to 1st St. (dead end) Roped off with cones, Entrance from Alder St. Staircase. Fire Lane to 1st Street Access.

USE THIS BOX TO DRAW THE LICENSED AREA

See Attached.

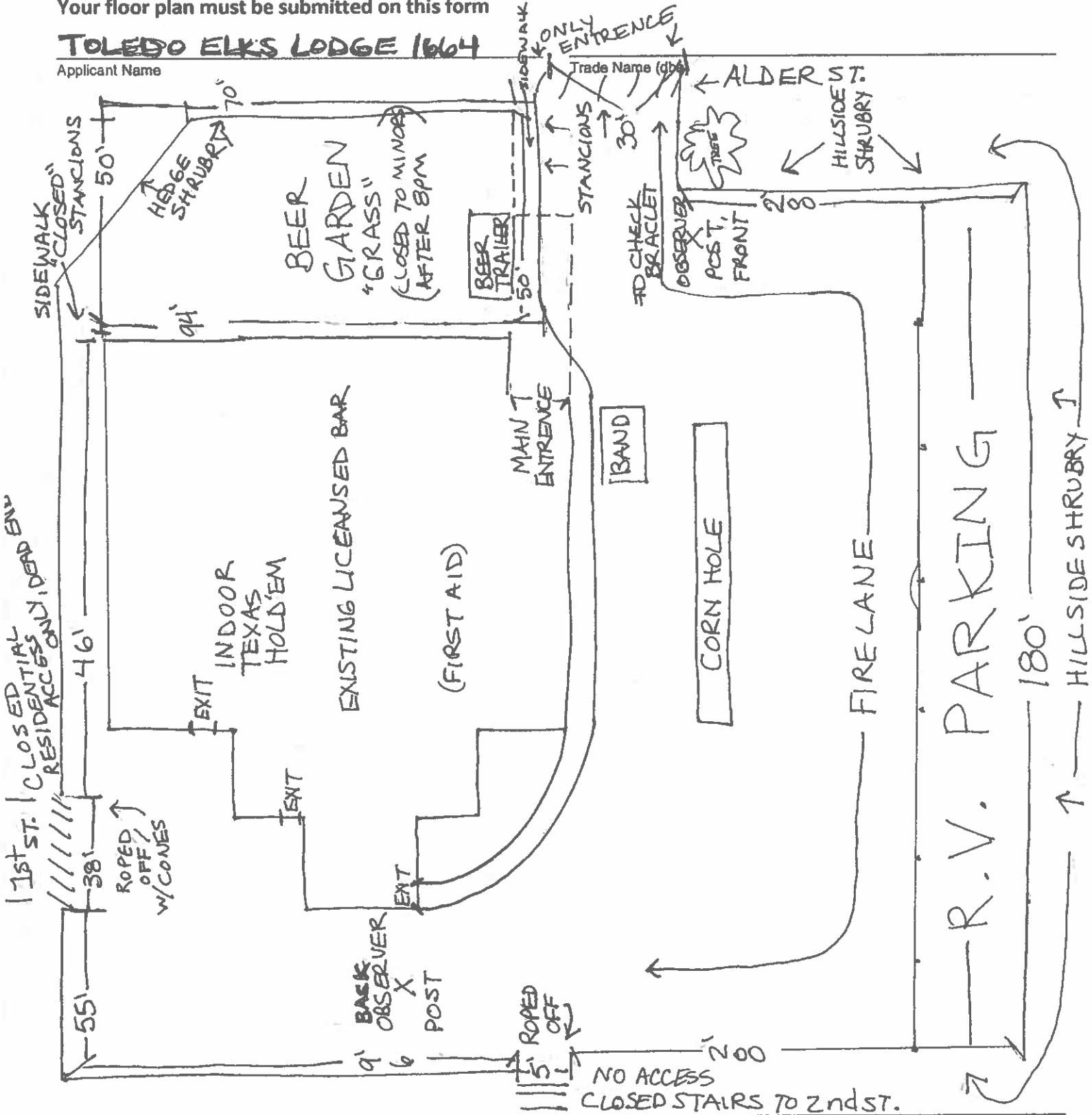


FLOOR PLAN FORM

Your floor plan must be submitted on this form

TOLEDO ELKS LODGE 1664

Applicant Name



.....OLCC USE ONLY.....
MINOR POSTING ASSIGNMENT(S)

Date: _____ Initials: _____

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	June 28, 2023	Resolution No 1522, A Resolution recognizing Grant Revenue and making appropriations for spending for Fiscal Year 2022-2023
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to adopt Resolution No 1522, A Resolution of the Toledo City Council to recognize Grant Revenue and make appropriations for spending for the Fiscal Year 2022-2023.

Background:

The City of Toledo Library Department has been successful in securing \$3,000 in grants recently. Local Budget Law allows for specific purpose grants to be appropriated by resolution.

Fiscal Impact:	Fiscal Year:	GL Number:
\$3,000	2022-2023	N/A

Attachment:

1. Resolution No. 1522

**CITY OF TOLEDO
RESOLUTION NO. 1522**

**A RESOLUTION OF THE TOLEDO CITY COUNCIL RECOGNIZING GRANT REVENUE AND
MAKING APPROPRIATIONS FOR SPENDING FOR FISCAL 2022-2023**

WHEREAS, Local Budget Law in ORS 294.338(2) allows for specific purpose grants to be appropriated by resolution, and

WHEREAS, The City of Toledo Library received grant money from Internet Archive and Community Webs in the amount of \$3,000.00.

NOW, THEREFORE, THE CITY OF TOLEDO RESOLVES AS FOLLOWS:

Section 1.		Was	Increased by	
	General Fund Grants	001-000-405250	\$119,243.68	\$3,000.00
	Library Travel and Training	001-700-600600	\$500.00	\$3,000.00

Section 2. That this Resolution shall be effective immediately upon passage by the Toledo City Council.

That this resolution is hereby adopted by the Toledo City Council on this 28^h day of June, 2023.

APPROVED

ATTEST

Mayor Rod Cross

City Recorder Lisa Figueroa

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	June 28, 2023	Ordinance No. 1411, an ordinance amending the Toledo Municipal Code related to recreational vehicle use as a temporary living quarter
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Attorney M. Adams	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to adopt Ordinance No. 1411 by title only, an ordinance of the Toledo City Council repealing Toledo Municipal Code Chapter 8.08 and Ordinance 1310, Section 1 (part), 2006, and Ordinance 1396, 2021; replacing with new Toledo Municipal Code chapter 8.08, recreational vehicle use as a temporary living quarter on privately owned property; and declaring an emergency (Title must be read twice).

Background:

After a first hearing on June 23, 2023, the City Council directed this be brought back on June 28, 2023 for possible adoption.

Per Council's request, temporary use is defined as one (1) year (instead of two (2) years), or six (6) months if an applicant needs to comply with floodplain requirements. This change was made in three places: (1) the "temporary" definition in Toledo Municipal Code 8.08.020; (2) Subsection B of 8.08.010 (purpose); and subsection A, paragraph 5, of 8.08.060.

Copies of the proposed ordinance were posted, on June 14, 2023 and emailed to Council, more than one week prior to this hearing, to allow an adoption tonight, pursuant to City Charter, Chapter XI – Ordinances, Section 31.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2022-2023	N/A

Attachment:

1. Ordinance No. 1411

**CITY OF TOLEDO
ORDINANCE NO. 1411**

AN ORDINANCE OF THE TOLEDO CITY COUNCIL REPEALING TOLEDO MUNICIPAL CODE CHAPTER 8.08 AND ORDINANCE 1310 SECTION 1 (PART), 2006, AND ORDINANCE 1396, 2021; REPLACING WITH NEW TOLEDO MUNICIPAL CODE CHAPTER 8.08, RECREATIONAL VEHICLE USE AS A TEMPORARY LIVING QUARTER ON PRIVATELY OWNED PROPERTY AND DECLARING AN EMERGENCY

WHEREAS, the City Council finds it advisable to declare an emergency and make the ordinance effective immediately upon adoption.

NOW, THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:

- Section 1. Chapter 8.08, entitled “TEMPORARY USES, TEMPORARY STRUCTURES, AND RECREATIONAL VEHICLES,” is repealed, and replaced with Chapter 8.08 titled “RECREATIONAL VEHICLE (RV) USE AS A TEMPORARY LIVING QUARTER ON PRIVATELY OWNED PROPERTY” as set forth below in sections 2-15.
- Section 2. Section § 8.08.010 and Ord. 1310 § 1 (part), 2006, is amended, to read in it’s entirety, as follows:

8.08.010 – Authority; purpose.

- A. **Authority.** ORS 195.520, entitled “camping by individuals living in vehicles,” provides that a municipality may allow any public or private entity to allow overnight camping by homeless individuals living in vehicles on the property of the entity. ORS 197.493(2) and the City’s home rule authority is used to expand this grant of authority to individuals, considering the need to provide for housing, life, fire and sanitary issues. The City Council makes findings that: (1) “Camping” or “camping by individuals living in vehicles” with a permit issued under this chapter does not require that Recreational Vehicles (RV) be moved each day from the locations where a permit has been issued authorizing placement of an RV; and (2) Recognizing the social nature of people experiencing homelessness, and similar authority granted to cities and counties around Accessory Dwelling Units being allowed where there is a residential use, the City Council finds that this ordinance authorizing an RV where there is a residential use is providing alternative housing options.
- B. **Purpose.** To develop a policy to address the need for additional housing, and to regulate placement, restrict time limits, control aesthetics, limit nuisances, and generally protect health, safety, and welfare considerations

the City of Toledo recognizes that certain recreational vehicle placements are allowed as outright permitted uses on public or private(non-City owned) property. A temporary permit may be issued for up to one year, or alternatively, six months, if in the floodplain, and renewals, by the city manager or other designated city staff member for only the following uses:

1. In conjunction with on-site construction, on an undeveloped tax lot planned for a residential use, but only if a building permit has been issued for such construction, and the permit is active.
2. To address additional housing needs, on property with a residential use, a property owner may apply for a permit to allow for up to one RV to be placed on a tax lot, in conjunction with an existing residence.
3. To address additional housing needs, on commercial or industrial property, or property owned by a public entity, non-profit corporation, or a religious institution/place of worship, regardless of whether there is an existing structure, a property owner may apply for a permit to allow up to fifteen RVs to be placed on a tax lot, in conjunction with an existing business or operation, provided there remains enough parking space for the approved use of the property.

Section 3. Section § 8.08.020 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.020 - Definitions.

As used in this chapter:

"Adequate sanitation facilities" means reasonable access to any public restroom, private restroom, porta-potty, or self-contained toilet, water, hand washing, and trash disposal facilities.

"City manager" means the city manager of the city of Toledo or designee(s).

"City property" includes, but is not limited to, parks, rights of way, parking lots, easements, or other land owned, leased, controlled, or managed by the City.

"Main Street" includes North Main Street from the intersection of Business-Highway 20 East down to where South Main Street intersects with 2nd Street SE.

"Recreational vehicle (RV)" means a vehicle with or without motive power that is designed for use as temporary living quarters and is further defined by the Oregon Department of Transportation in OAR Chapter 735, Division 022. Examples include, but are not limited to, motor homes, camping trailers, tent

trailers, truck campers, camping vans, and, for purposes of this chapter, also includes boats, but only if designed or used as a temporary living quarter.

"Structure" means a building of any kind or any piece of work artificially built up or composed of parts joined together in some manner and which requires location on the ground or which is attached to something having a location on the ground.

"Temporary living quarter" means a recreational vehicle, as defined in this chapter, used for sleeping and/or living purposes and has access to water and adequate sanitation facilities, but is intended for temporary use as defined in this chapter.

"Temporary structure" means a structure without any foundation or footings and that is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

"Temporary use" means a use established for a limited duration with the intent to discontinue the use upon the expiration of the permitted time of one year, or alternatively, 6 months, if located in the floodplain.

"Vehicle" means an automobile that is operational, i.e., capable of being started and driven on their own power, or ready to be towed if designed to be towed and may not be left inoperable in public rights-of-way or on City property. For the purposes of this chapter, a vehicle is not an RV.

Section 4. Section § 8.08.030 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.030 - Fees.

An application fee in an amount set by resolution, which is determined to be reasonable, is set by the city council. The application fee must be paid concurrent with an application. A request to waive fees must be made in writing to the City Manager.

Section 5. Section § 8.08.040 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.040 – Temporary Permit required; exception.

A. Except as permitted in subsection B. and C. of this section, the use of an RV as a temporary place to live, also known as a living quarter, within the city of Toledo, is prohibited on publically or privately owned property unless the owner of land (applicant) on which it will be parked first obtains a temporary permit from the city. Use of an RV as a temporary living quarter in conjunction with a visitation of less than twenty one (21) days at an existing residence does not require a temporary permit.

- B. The owner of a commercial or industrial property, or property owned by a public entity, non-profit corporation, or a religious institution/place of worship, or the owner of property with a residential use, may obtain a temporary permit as described in TMC 8.08.060 to authorize the placement of an RV (but not a vehicle) to be used as a temporary living quarter.
- C. Except for those locations identified in Subsection B of Toledo Municipal Code (TMC) 12.28.020, and along Main Street as defined in TMC 8.08.020, the use of an RV or vehicle for overnight camping without a temporary permit is allowed within a publicly owned parking area, on City owned property, or within any public right-of-way under the following conditions:
 - 1. The RV or vehicle used for camping must be operational and capable of moving under its own power; and
 - 2. The RV or vehicle must be parked entirely within a marked parking space or safely removed from all lanes of travel; and
 - 3. Any associated personal property must be stored within the RV or vehicle; and
 - 4. Without a temporary permit, at least once every twenty-four (24) hours an individual that has placed an RV, vehicle, or Personal Property, on City Property, must relocate, as that term is defined in TMC 12.28.010.

Section 6. Section § 8.08.050 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.050 - Application requirements.

- A. The application form for a permit shall be provided by the city of Toledo and the applicant shall set forth on the site plan the following:
 - 1. The location map showing the area in the city where the use will occur;
 - 2. The proposed siting of the temporary use or RV on property; and
 - 3. The provisions for adequate sanitation facilities, water, electrical service, fire and life safety, are met for the RV occupants.

Section 7. Section § 8.08.060 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.060 - Permit.

- A. A permit, or renewal permit, to allow a person or persons to occupy an RV as a temporary living quarter may be granted subject to the following criteria:
1. The permit must be in conjunction with a valid, active building permit, or alternatively, to provide someone with a place to live.
 2. RVs are located entirely on-premises, and if more than one, are spaced at least 10 feet apart.
 3. All items and materials are stored in RVs or in a separate storage area that is screened from view from adjacent properties and public rights-of-way.
 4. Occupancy is limited to:
 - (a) If a residential use, one RV at the same time; or
 - (b) If a commercial or industrial use, or property owned by a public entity, non-profit corporation, or a religious institution/place of worship, fifteen or fewer RVs at the same time.
 5. The time limit shall be no longer than one year, or alternatively, six months, if in the floodplain, from issuance of the temporary permit. After the expiration of the time limit, the RV used for the temporary living quarter is subject to the renewal provisions in TMC 8.08.090.
 6. The applicant must demonstrate reasonable access to sanitary facilities, including a toilet, hand washing and trash disposal facilities, even if self-contained in the RV with a plan to dump the grey water and black water and refuse, with such facilities being at least 20-feet from the property line of a residential use if not fully contained within a building. The City may inspect the temporary use to ensure compliance with adequate sanitation facilities; and
 7. The applicant must demonstrate compliance with fire and life safety standards including but not limited to smoke alarms and fire extinguishers. Open flames, recreational fires, burning of garbage, bonfires, flames, and/or heating deemed unsafe by Toledo Fire Department (TFD) and prohibited in, on or around vehicles. The

City may inspect the temporary use to ensure compliance with fire and life safety standards.

8. If located in the floodplain, the applicant must demonstrate that an RV will comply with all floodplain requirements, including quick disconnect utility connections, ability to drive away in case of flooding, and no structures allowed that are not authorized in the floodplain.
9. Any RV used for temporary living quarter must meet the definition of a RV as contained in this chapter.
10. The location of an RV must not impede the clear vision of vehicle or pedestrian traffic which has the potential to cause a travel hazard.
11. Prior to the issuance of a temporary living quarter permit, the applicant shall sign an agreement to comply with the provision of this section. If the property subject to the temporary living quarter permit is not owned by the applicant, written permission of the property owner is required.

B. A decision whether or not to issue a temporary permit is not a land use decision or limited land use decision. This is a ministerial decision that will approximate the Type I procedure in Toledo Municipal Code Chapter 19.08. The city shall approve, approve with conditions, or deny a temporary use permit based on findings that all of the criteria are satisfied.

C. An application for a temporary living quarter permit (or renewal) must be made on a form prescribed by the planning department. Failure to fill out all needed items will result in the rejection of the application until such time as all items are provided. The city manager or designee shall issue the permit for the temporary living quarter if all conditions outlined in this subsection A. of TMC 8.08.060 are met.

Section 8. Section § 8.08.070 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.070 - Prohibited structures and connections.

- A. A structure or temporary structure may not be erected pursuant to a permit issued under this chapter for use as a temporary living quarter. Examples include sheds, yurts, cabins, fabric structures, or similar structures.
- B. A permit issued under this chapter does not authorized an RV to connect to city sewer.

Section 9. Section § 8.08.080 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.080 - Permit revocable.

Except for an emergency caused by imminent danger to public health and safety, which shall be a twenty-four (24) hour notice, any temporary permit will be revoked on ninety-six (96) hour notice by the city manager upon objectively reasonable evidence that one or more of the following conditions exist:

- A. Lacks adequate sanitation facilities.
- B. Is dangerous to the public health and safety. Examples included dumping of grey water (i.e., waste water from baths, sinks, and the like) or black water (i.e., sewage) into any facilities or places not intended for grey or black water.
- C. Has become a public nuisance due to conditions, location, or use.
- D. Noncompliance with conditions set forth in granting the permit or in this chapter.
- E. Approval being obtained by fraud or misrepresentation.

Section 10. Section § 8.08.090 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.090 - Renewal.

Except those properties located in a floodplain, which approval shall be for 6 months, 2 years is the maximum time for which a temporary permit may be issued by city staff. The renewal period will be the same as the actual permit, and can be granted, rather than a new application being required, if a renewal application is received within 1 year of the last permit being issued. In the event a previously issued permit has been revoked, the city council, instead of the city manager, shall make the ministerial decision and consider the renewal application at a public meeting. The renewal application fee shall be set by resolution of the city council.

Section 11. Section § 8.08.100 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.100 - Permits not transferable.

Permits authorized by this chapter are not transferable to another person or location unless approved by the city council.

Section 12. Section § 8.08.110 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.110 - Violation—Penalty.

- A. Violation of this chapter is punishable by a fine of not more than \$100. The amount imposed shall be at the discretion of the judge.
- B. If the City refers a service provider to an individual who is cited for a violation of this chapter and the individual demonstrates they meaningfully engaged with that or another similar service provider after receiving the citation and before the hearing, the fine is eligible to be reduced or eliminated at the discretion of the judge.

Section 13. Section § 8.08.120 and Ord. 1310 § 1 (part), 2006, is amended, to read in its entirety, as follows:

8.08.120 – Severability clause.

A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 14. Section § 8.08.130 is added, to read in its entirety as follows:

8.08.130 – Savings clause.

A prosecution that is pending on the effective date of this ordinance and arose from a violation of an ordinance repealed by this ordinance, or a prosecution started within one year after the effective date of this ordinance arising from a violation of an ordinance repealed by this ordinance, shall be tried and determine exactly as if the ordinance had not been repealed.

Section 15. Section § 8.08.140 is added, to read in its entirety as follows:

8.08.140 - Emergency Clause.

This ordinance being necessary for the immediate preservation of the public welfare, health and safety, an emergency is declared to exist and this ordinance shall take effect upon its passage by the Toledo City Council.

This Ordinance is adopted by the City Council this 28th day of June, 2023.

APPROVED:

ATTEST:

Mayor Rod Cross

City Recorder Lisa Figueroa

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	June 28, 2023	Ordinance no. 1412, an ordinance regulating camping on public property by adding Chapter 12.28 to the Toledo Municipal Code and declaring an emergency
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Attorney M. Adams	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to adopt Ordinance No. 1412 by title only, an ordinance of the Toledo City Council regulating camping on public property by adding chapter 12.28 to the Toledo Municipal Code; and declaring an emergency (title must be read twice).

Background:

After a first hearing on June 23, 2023, the City Council directed this be brought back on June 28, 2023 for possible adoption.

Per Council's request, one item, #17, deleted (Elementary School - not city property); and one item, #16, modified (Head Start excluded – not city property) in subsection B of 12.28.020.

Copies of the proposed ordinance have been posted, on June 14, 2023, and emailed to Council, more than one week prior to this hearing, to allow an adoption tonight, pursuant to City Charter, Chapter XI – Ordinances, Section 31.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2022-2023	N/A

Attachment:

1. Ordinance No. 1412

**CITY OF TOLEDO
ORDINANCE NO. 1412**

AN ORDINANCE OF THE TOLEDO CITY COUNCIL REGULATING CAMPING ON PUBLIC PROPERTY BY ADDING CHAPTER 12.28 TO THE TOLEDO MUNICIPAL CODE; AND DECLARING AN EMERGENCY

WHEREAS, the City Council finds it advisable to declare an emergency and make the ordinance effective immediately upon adoption.

NOW, THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:

Section 1. Sections 2 through 6 of this ordinance are added to and made a part of the Toledo Municipal Code, Chapter 12.28, and creating the chapter title of “REGULATING CAMPING ON PUBLIC PROPERTY”.

Section 2. Section § 12.28.010 is added, to read in its entirety, as follows:

12.28.010 - Definitions.

For purposes of this section, the following words and phrases shall mean:

“Camp” means to occupy a Campsite for over 24 hours.

“Campsite” means a location upon City Property where Camping Materials are placed.

“Camping Materials” include, but are not limited to, tents, huts, awnings, lean-tos, chairs, tarps, collections of personal property and/or similar items that are, or reasonably appear to be, arranged and/or used as camping accommodations.

“City Property” includes, but is not limited to, parks, rights of way, parking lots, easements, or other land owned, leased, controlled, or managed by the City.

“Personal Property” means any item that can reasonably be identified as belonging to an individual and that has apparent value or utility.

“Relocate” means to move off of City Property or to a different City Property. This definition does not include moving to another portion of the same City Property.

Section 3. Section § 12.28.020 is added, to read in its entirety, as follows:

12.28.020 - Camping Prohibited Upon City Property.

- A. It is unlawful for any person to Camp upon City Property unless otherwise authorized by law or by declaration of the City Manager.
- B. Unless otherwise authorized by law or by declaration of the City Manager, it is unlawful to establish a Campsite for any period of time at any location on the following property:
 - 1. City Hall and adjacent parking lots and sidewalks, address: 200 and 206 N. Main Street, Toledo, OR 97391.
 - 2. Memorial Field and adjacent parking lots and sidewalks, address: 385 NW A Street, and 200, 250, and 350 NW 1st Street, Toledo, OR 97391
 - 3. Library, tennis court, and adjacent parking lots and sidewalks, address: 173 NW 7th and 840 NW A Street, Toledo, OR 97391
 - 4. Old Police Station and adjacent parking lots and sidewalks, address: 246 and 250 W. Hwy 20, Toledo, OR 97391
 - 5. New Police Station and adjacent parking lots and sidewalks, address: 222 and 244 NE Hwy 20, Toledo, OR 97391
 - 6. Fire station and adjacent parking lots and sidewalks, address: 285 NE Burgess Road, Toledo, OR 97391
 - 7. Sewer treatment plant and adjacent parking lot, address: 1105 SE Fir Street, Toledo, OR 97391
 - 8. Skyline water storage tank and adjacent parking lot, address: 255 NE Magnolia Street, Toledo, OR 97391
 - 9. Graham street water storage tank and adjacent areas, No address assigned, Toledo, OR 97391
 - 10. Ammon road water storage tank and adjacent areas, No address assigned, Toledo, OR 97391
 - 11. Sewer pump stations, and adjacent areas, address: 1615 Lincoln Way, 200 NW A Street, 1660 NW Highway 20, 675 Butler Bridge road, and 1298 Sturdevant Road, Toledo, OR 97391

12. Water pump stations, and adjacent areas, address: 1132 SE River and 1209 Wagon Road, Toledo, OR 97391
 13. Storm water pump station, and adjacent areas, address: 440 NW 1st Street, Toledo, OR 97391
 14. Public Works Shop and adjacent parking lot, address: 415 NW Industrial Park Way, Toledo, OR 97391
 15. Water treatment plant and adjacent parking lot, address: 860 NE Reservoir Lane, Toledo, OR 97391
 16. Skate Park, address: 737 NW A Street, Toledo, OR 97391, with adjoining right of way, and adjacent garden area
 17. Along Main Street, which includes North Main Street from the intersection of Business-Highway 20 East down to where South Main Street intersects with 2nd Street SE.
- C. At least once every 24 hours an individual that has placed a Campsite, Camping Materials or Personal Property on City Property must Relocate.
 - D. The City shall only remove individuals and unclaimed Personal Property from a Campsite as provided by ORS 195.505.
 - E. Violation of this section is punishable by a fine of not more than \$100. The amount imposed shall be at the discretion of the judge.
 - F. If the City refers a service provider to an individual who is cited for a violation of this section and the individual demonstrates they meaningfully engaged with that or another similar service provider after receiving the citation and before the hearing, the fine is eligible to be reduced or eliminated at the discretion of the judge.

Section 4. Section § 12.28.030 is added, to read in its entirety as follows:

12.28.030 – Severability clause.

A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 5. Section § 12.28.040 is added, to read in its entirety as follows:

12.28.040 – Savings clause.

A prosecution that is pending on the effective date of this ordinance and arose from a violation of an ordinance repealed by this ordinance, or a prosecution started

within one year after the effective date of this ordinance arising from a violation of an ordinance repealed by this ordinance, shall be tried and determine exactly as if the ordinance had not been repealed.

Section 6. Section § 12.28.050 is added, to read in its entirety, as follows:

12.28.050 - Emergency Clause.

This ordinance being necessary for the immediate preservation of the public welfare, health and safety, an emergency is declared to exist and this ordinance shall take effect upon its passage by the Toledo City Council.

This Ordinance is adopted by the City Council this 28th day of June, 2023.

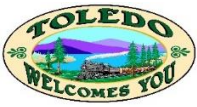
APPROVED:

ATTEST:

Mayor Rod Cross

City Recorder Lisa Figueroa

CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION

	Meeting Date:	Agenda Topic:
	June 28, 2023	Ordinance No. 1413, an ordinance amending the Toledo Municipal Code related to the impoundment of vehicles, offenses against public decency and exclusions from public property
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Attorney M. Adams	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to adopt Ordinance No. 1413, by title only an ordinance of the Toledo City Council regulating the impoundment of vehicles, offenses against public decency and exclusions from public property by amending Toledo Municipal Code; Section 10.08.06, amending chapter 10.24, deleting Chapter 9.08 and amending Section 12.20.040 and declaring an emergency (Title must be read twice).

Background:

After a first hearing on June 23, 2023, the City Council directed this be brought back on June 28, 2023 for possible adoption.

Per Council's request, City staff will review state law and bring back possible future amendment of Section 9.08.030 (Urination or defecation in public places), being deleted in this ordinance, to create a workable situation for persons experiencing homelessness under current legal constraints of case law and ORS provisions.

Copies of the proposed ordinance have been posted, on June 14, 2023, and emailed to Council, more than one week prior to this hearing, to allow an adoption tonight, pursuant to City Charter, Chapter XI – Ordinances, Section 31.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2022-2023	N/A

Attachment:

1. Draft Ordinance

**CITY OF TOLEDO
ORDINANCE NO. 1413**

AN ORDINANCE OF THE TOLEDO CITY COUNCIL REGULATING THE IMPOUNDMENT OF VEHICLES, OFFENSES AGAINST PUBLIC DECENCY AND EXCLUSIONS FROM PUBLIC PROPERTY BY AMENDING TOLEDO MUNICIPAL CODE; SECTION 10.08.06, AMENDING CHAPTER 10.24, DELETING CHAPTER 9.08 AND AMENDING SECTION 12.20.040 AND DECLARING AN EMERGENCY

WHEREAS, the City Council finds it advisable to declare an emergency and make the ordinance effective immediately upon adoption.

NOW, THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:

- Section 1. Section 10.08.060, ADMINISTRATION AND ENFORCEMENT, shall be amended as provided in Sections 3 – 19 of this Ordinance.
- Section 2. Section 10.08.060 and Ordinance 1072 § 38, 1979, is amended, to read in its entirety as follows:

10.08.060 - Impoundment of vehicles.

- A. After the pre-enforcement process in Toledo Municipal Code (TMC) 10.24.040, whenever a vehicle is placed in a manner or location that constitutes an obstruction to traffic or a hazard to public safety, a police officer or community services officer shall order the owner or operator of the vehicle to remove it. If the vehicle is unattended the officer may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another or that the vehicle was initially parked in a safe manner but subsequently became an obstruction or hazard.
- B. The disposition of a vehicle towed and stored under authority of this section shall be in accordance with the provisions of the ordinance of the city relating to impoundment and disposition of vehicles in TMC Chapter 10.24.
- C. After the pre-enforcement process in TMC 10.24.040, the impoundment of a vehicle will not preclude the issuance of a citation for violation of a provision of this code.
- D. Stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner.

E. Whenever a police officer or community services officer observes a vehicle parked in violation of a provision of this title, and it is not or has not been used as a shelter as that term is defined in TMC 10.24.010, the officer may, in addition to issuing a citation, cause the vehicle to be impounded if the vehicle has four or more unpaid parking violations outstanding against it. A vehicle so impounded shall not be released until all outstanding fines and charges have been paid. Vehicles impounded under authority of this subsection shall be disposed of in the same manner as is provided in subsection B of this section.

Section 3. Chapter 10.24, IMPOUNDING AND DISPOSITION OF DISCARDED VEHICLES, shall be amended as provided in Sections 4 -19 of this Ordinance.

Section 4. Section 10.24.010 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is amended, to read in its entirety, as follows:

10.24.010 - Definitions.

As used in this chapter, the following means:

“City property” includes, but is not limited to, parks, rights of way, parking lots, easements, or other land owned, leased, controlled, or managed by the City.

“Costs” means the expense of removing, storing or selling a discarded vehicle.

“Discarded vehicle” means:

1. A vehicle that is in one or more of the following conditions:
 - a. Inoperative,
 - b. Wrecked,
 - c. Dismantled,
 - d. Partially dismantled,
 - e. Abandoned, or
 - f. Junked.
2. Discarded vehicles include major parts of vehicles, including but not limited to, bodies, engines, transmissions, and rear ends;
3. A vehicle that does not lawfully display registration plates with unexpired stickers shall be presumed to be “abandoned.” This shall be a disputable presumption.

4. For the purposes of this chapter only, a vehicle rendered temporarily inoperative but otherwise legally parked outdoors on public right-of-way adjacent to the vehicle owner's residence or on private property shall not be considered a discarded vehicle if the vehicle is secure, not creating a hazard, and repairs to the vehicle are made within thirty (30) days.

“Enforcement authority” means any authorized agent or representative of the city as set forth in Section 1.20.060.

“Person in charge of property” means an agent, occupant, lessee, contract purchaser, owner, or person having possession, control, or title to property where a vehicle is located.

“Shelter” means a vehicle, or part thereof, as defined in this chapter, whether discarded or not, that is used for sleeping and/or living purposes.

“Vehicle” means every device in, upon, or by which a person or property is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks. For example, and not a limitation, the following are vehicles:

1. Motor vehicle;
2. Motor home;
3. Utility trailer;
4. House or vacation trailer;
5. Implement of husbandry;
6. Article of machinery;
7. Boat;
8. Camper; or
9. Canopy or any part thereof.

“Vehicle owner” means an individual, firm, corporation or unincorporated association with an individual or joint claim or a legal or equitable interest in a vehicle.

Section 5. Section 10.24.020 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is unchanged, to read in its entirety, as follows:

10.24.020 - Declaration of public nuisance.

Accumulation and storage of discarded vehicles reduces property values, is unsightly, promotes neighborhood deterioration, invites plundering, creates fire hazards, is an attractive nuisance causing a hazard to minors' health and safety, creates a harborage for rodents and insects, and is injurious to the health, safety, and general welfare. Therefore, a discarded vehicle on private or public property is a public nuisance which may be abated in accordance with this chapter.

Section 6. Section 10.24.030 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is unchanged, to read in its entirety, as follows:

10.24.030 - Prohibited action.

- A. Except as provided in this chapter 10.24, storage of a discarded vehicle on private property in Toledo is prohibited unless the vehicle is completely enclosed by a building, stored behind a site obscuring fence, hedge or wall, or stored by a lawfully conducted business dealing in disabled vehicles.
- B. Except as provided in this chapter 10.24, storage of a discarded vehicle on public property in Toledo is prohibited unless the vehicle is completely enclosed by a building or stored by a lawfully conducted business dealing in disabled vehicles.

Section 7. Section 10.24.040 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is deleted, and replaced, to read in its entirety, as follows:

10.24.040 – Pre-enforcement process.

- A. Except in the case on an emergency, before a civil infraction citation, or notice of removal of vehicle, or notice of removal of campsite pursuant to Subsection D. of TMC 12.28.020, is issued, City personnel will contact the person and provide a reasonable opportunity to cure or remedy the alleged violation. City personnel should assess whether the person subject to citation or removal has been referred to service providers and/or the Lincoln County Coordinated Homeless Response Office, and make a referral if it appears none has been made.
- B. City personnel will communicate to the person in a manner designed to help them understand the issue or problem:
 - 1. The activity constituting the alleged violation, that the person appears to be responsible for the violation or the camp at which the violation is occurring;

2. The action required to fix the violation and the time and/or date by which the violation must be fixed; and
 3. A written or verbal warning that if the violation is not fixed within the time given a citation may be issued or the City may post the vehicle, property or camp for removal. City personnel should inform the person of the maximum monetary citation that could be imposed.
- C. City personnel should also advise the person of the relevant time restriction (i.e.: 24-hours for tent camping, and three (3) business days for vehicle camping).
- D. City personnel should also provide written information on services available and the rules applicable to the situation.
- E. **Tailored Enforcement for Disabilities or Other Reasons.** Enforcement should be tailored for various circumstances, including but not limited to situations where a person has a disability under the Americans with Disabilities Act (ADA), where minor children are present or otherwise involved, where a person has employment obligations that may relate to their ability to comply with the code, or for other reasons that may support discretion in enforcement. Typical requests are likely to be for more time before a person can move, or for an allowance to maintain an item or vehicle in violation of vehicle has been parked or left standing in excess of allowed time. In all but the most unusual situations, extension of time limitations should not exceed more than one week total. When there is a modification of enforcement, items must not block sidewalks, driveways, bike lanes, or drive aisles.
- F. **People with disabilities.** If a person asserts an inability to comply or a need for modified application of the provisions of the code or state law because of a disability, City personnel must engage in an interactive process to review the requested change in application of the provision at issue. A modification is not required to be given if it would pose an undue financial or administrative burden on the City or would fundamentally alter the nature of the program, activity, or services by the City. City personnel should use their discretion in applying this section and may consult with the City's Human Resources Person and/or City Attorney's Office on specific or unusual requests.
1. City personnel should inquire about the nature of the asserted disability if not already apparent from the request. A person does not have to disclose a diagnosis or specify the disability to qualify for a modification of rules.

2. City personnel should ask what the person needs modified due to the disability.
3. Requests should be considered on an individual basis. Accommodations must be reasonable and not cause an undue burden or threat to public health or safety.

G. If a person asserts an inability to comply or a need for modified application of the provisions of this code or state law because they have minor children in their care or have employment obligations that related to the ability to comply with the code, or other reason, the request should be considered on an individual basis. Modifications must be reasonable, related to the reason for the inability to comply or request for alternate enforcement, and not cause an undue burden or threat to public health or safety.

H. **Suspension of Enforcement when Engaged in Services.** Enforcement of the time limitations under this code or state law may be suspended when a person does not have access to shelter within the city of Toledo, and has identified a shelter bed or other location to stay at the end of the suspended enforcement time period (this identification shall be considered “engaged in case management or behavioral health services” for purposes of this suspension of enforcement). In all but the most unusual situations, extension of time limitations should not exceed more than one week.

Section 8. Section 10.24.050 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is deleted, and replaced, to read in its entirety, as follows:

10.24.050 – Removal of vehicles.

- A. The provisions of this Section are in addition to existing processes for towing of hazardous vehicles or vehicles eligible for towing under state law. Regardless of process used, the citation and towing of vehicles used as shelter should generally be used as an option of last resort, after following steps described in this Section. Further, regardless of process used, any vehicle is subject to the 30 day period required for storing personal property under ORS 195.505.
- B. A vehicle may be towed from city property or right-of-way as an abandoned vehicle under ORS 819.110, if it has been parked or left standing for more than three (3) business days and is not being used for shelter. (“Abandoned” for purposes of this Section means the vehicle has been parked or left standing in excess of allowed time, even if people are using the vehicle in its parked location without moving it.) Prior to towing, notice shall be given as provided in ORS 819.170, and if requested, a hearing under ORS 819.190.

1. If City personnel believe a vehicle that constitutes a hazard or obstruction under ORS 819.120 is being used as shelter, the vehicle may not be towed until after a request has been made that the person sheltering in the vehicle move the vehicle or remedy the hazard or obstruction. If the vehicle is not moved or cannot be moved, or continues to pose a clear danger, City personnel may proceed with a hazard tow.
- C. For City-owned property that has not been made available for parking or camping under Section TMC 12.28.020, parking is prohibited. Vehicles parking on City-owned property, that are not being used as shelter or part of an established campsite, may be removed as personal property under ORS 98.812 or ORS 98.830, subject to the required notices. Such removed property are subject to the 30 day period required for storing personal property under ORS 195.505.
- D. For vehicles being used as shelter or as part of an established campsite on City-owned property, City personnel shall follow the Pre-Enforcement procedures in Section TMC 10.24.040 to notify a person that camping and/or parking are not allowed and that the person must remove the vehicle or established campsite. If a vehicle is not voluntarily removed from City-owned property, City personnel may post a notice of removal at least 72-hours before the vehicle may be removed. The Vehicle may then be removed and stored as personal property removed from an established campsite, in accordance with this policy and ORS 195.505. City personnel must complete the form for towing as required by ORS 98.830.

Section 9. Section 10.24.040 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, as amended by Ordinance 1332, § 1, 2009, is moved to Section 10.24.060, to read in its entirety, as follows:

10.24.060 – Investigation.

- A. When an enforcement authority investigates a discarded vehicle on private or public property and determines that a nuisance exists, the officer shall:
1. Attempt to discover the owner of the vehicle and the person in charge of the property on which the vehicle is located; and
 2. Give written notice to them by personal service or by registered or certified mail that the vehicle is in violation of this chapter.
- B. If the owner of the vehicle is not found, the officer shall place a notice on the windshield or some other part of the vehicle where it can be easily seen.

- C. After the pre-enforcement process is accomplished, an enforcement officer may issue a citation for violation of this chapter either to the person in charge of the property and/or the vehicle owner by personal service or by registered or certified mail, and proceed with abating the nuisance as provided for in this chapter.

Section 10. Section 10.24.050 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is moved to Section 10.24.070, to read in its entirety, as follows:

10.24.070 - Contents of notice.

A notice issued under Section 10.24.060 shall state:

- A. That the discarded vehicle is in violation of this chapter and that within three (3) days after sending or posting the notice:
 - 1. The vehicle must be removed from the city or to the storage yard of a lawfully conducted business dealing in disabled vehicles; or
 - 2. The vehicle must be completely enclosed within a building; or
 - 3. If the vehicle is on private property, the vehicle must be stored behind a sight obscuring fence, hedge or wall; or
 - 4. If it appears that the vehicle has been or is being used as a shelter, the vehicle must be moved to a different location or it will be impounded; and
 - 5. The request to have a hearing in Toledo municipal court can be made, within 10 days of sending or posting the notice, under TMC 10.24.090.
- B. That the alternative to compliance with subsection A of this section is to petition the municipal court clerk within the ten (10) day period after the sending or posting of the notice described in subsection A of this section, and make a written request to appear before the municipal court judge to show why the vehicle should not be immediately removed or properly stored;
- C. That failure to comply with this chapter authorizes the city to remove the vehicle, charge the cost against the property from which it was removed and/or the vehicle owner, issue a citation to either the person in charge of the property and/or the vehicle owner, and/or sell the vehicle to satisfy the costs of removal and storage.

Section 11. Section 10.24.060 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is moved to Section 10.24.080, to read in its entirety, as follows:

10.24.080 - Entry on private property.

- A. An enforcement authority is authorized to enter private property at all reasonable times and examine a vehicle to determine whether it is discarded. Except when an emergency exists, before entering onto private property, the officer shall obtain the consent of an occupant or a warrant of the municipal court authorizing entry for inspection.
- B. No search warrant shall be issued under this chapter until an affidavit has been filed with the municipal court showing probable cause for the inspection by stating the purpose and extent of the proposed inspection, citing this chapter as the basis for the inspection, stating whether it is an inspection instituted by complaint, or giving other specific or general information concerning the vehicle in question or the property on which it is located.
- C. No person shall interfere with or attempt to prevent an enforcement authority from entering private premises and inspecting a vehicle when an emergency exists or when the officer exhibits a warrant authorizing entry.
- D. If required by law, the same procedures for entry onto private property shall be followed for entry onto public property.

Section 12. Section 10.24.070 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is moved to Section 10.24.090, to read in its entirety, as follows:

10.24.090 - Hearing by municipal court.

- A. Following a request, the municipal court shall fix a time for a hearing to show cause why a vehicle should not be abated immediately and to receive evidence and the testimony of the enforcement authority and other interested persons concerning the existence, location, and condition of the vehicle. After the hearing, the court may order the vehicle removed by the city in accordance with the provisions of this chapter.
- B. The court shall make its ruling in the form of an order declaring the vehicle to be a public nuisance. The court may order the removal of more than one vehicle and may consolidate the hearings and orders relating to more than one vehicle. People receiving the notice specified in Section 10.24.060 shall be sent copies of the court order.
- C. The court may impose conditions and take other action it considers appropriate under the circumstances to carry out this chapter. It may delay the time for removal of the vehicle when, in its opinion, circumstances justify such action. It shall refuse to order removal of the vehicle when the vehicle is not subject to the provisions of this chapter.

Section 13. Section 10.24.080 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is moved to Section 10.24.100, and then amended, to read in its entirety, as follows:

10.24.100 - Abatement by the city and appraisal.

- A. Seventy two (72) hours after giving the notice required in Section 10.24.060 or, if a hearing is held, one (1) days after adoption of an order declaring a vehicle to be a public nuisance as required in Section 10.24.090, the city will have jurisdiction to abate the nuisance and may remove the vehicle by use of city employees or authorized independent contractors. No person shall interfere with, hinder or refuse to allow authorized persons to enter private or public property to remove a vehicle under this chapter.
- B. The city shall ensure the vehicle is kept as personal property for 30 days as described in ORS 195.505.
- C. After removing the vehicle, the city shall have it appraised.

Section 13. Section 10.24.090 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is moved to Section 10.24.110, to read in its entirety, as follows:

10.24.110 – Low-value vehicle.

- A. If the vehicle is appraised at one thousand dollars (\$1,000.00) or less, the enforcement authority or independent contractor may dispose of the vehicle without notice and public sale if any of the following occur:
 - 1. The owner of the vehicle and any lessor or security interest holder shown in the records of the division sign a release, under oath, disclaiming any future interest in the vehicle;
 - 2. The owner and any lessor or security interest holder shown in the records of the division have been sent notification of the location of the vehicle and, within fifteen (15) days after the date the notification is mailed, the persons notified have not signed releases or the vehicle has not been reclaimed. Failure to sign a release or to reclaim the vehicle shall constitute a waiver of interest in the vehicle.
- B. Prior to sale, the enforcement authority or authorized independent contractor shall file an affidavit with the motor vehicles division describing the vehicle, including the license plates, if any, stating the location and appraised value of the vehicle and stating that the vehicle will be junked or dismantled. The enforcement authority or independent contractor may

dispose of the vehicle and execute a certificate of sale without notice and public auction.

Section 14. Section 10.24.100 and Ordinance 1296 § 2, 2003, as amended by Ordinance 1264 (part), 1997, is moved to Section 10.24.120, and amended, to read in its entirety, as follows:

10.24.120 – Public sale notice.

- A. If the vehicle is appraised over one thousand dollars (\$1,000.00), the enforcement authority shall publish a notice of sale on the city website, or alternatively, in a newspaper of general circulation within Lincoln County. The notice of sale shall state:
 - 1. The sale is of discarded property in possession of the city;
 - 2. A description of the vehicle, including the type, make, license number, identification number, and any other information that will aid in accurately identifying the vehicle;
 - 3. The terms of the sale;
 - 4. The date, time and place of the sale.
- B. The notice of sale shall be published twice. The first publication shall be made not less than fifteen (15) days before the date of proposed sale, and the second shall be made not less than seven days before the date of proposed sale.
- C. The alternative to compliance with subsection B of this section is to place the notice and other information about the proposed sale, in a readily visible place, on the City's website.

Section 15. Section 10.24.110 and Ordinance 1264 (part), 1997, is moved to Section 10.24.130, to read in its entirety, as follows:

10.24.130 – Public sale.

- A. If a vehicle is subject to Section 10.24.120, the enforcement authority or independent contractor shall hold a sale at the time and place appointed, within view of the vehicle to be sold.
- B. The vehicle shall be sold to the highest and best bidder. The city may specify a minimum bid price. However, if no bids are entered or the bids entered are less than the costs incurred by the city, the enforcement authority may enter a bid on behalf of the city in an amount equal to the costs.

- C. When the purchase price is paid, the enforcement authority shall execute a certificate of sale in duplicate; the original shall be delivered to the purchaser and a copy filed with the city recorder.

Section 15. Section 10.24.120 and Ordinance 1264 (part), 1997, is moved to Section 10.24.140, and amended, to read in its entirety, as follows:

10.24.140 - Redemption before sale.

- A. A vehicle impounded under the provisions of this chapter may be redeemed by its owner or by the person in charge of the property from which the vehicle was removed by applying to the enforcement authority before sale or disposition has taken place. The person shall:
 - 1. Submit satisfactory evidence of ownership or interest in the vehicle to the enforcement authority;
 - 2. Either pay the costs owing at the time the application to redeem is made; or, at the discretion of the city manager, enter an agreement with the owner for the sale of the vehicle in exchange for repayment, with an interest rate up to a maximum of nine (9) percent, subject to a security interest in favor of the city.
 - 3. Give evidence that the nuisance character of the vehicle will not be resumed.
- B. Upon compliance with subsection A of this section, the enforcement authority or independent contractor shall execute a receipt and cause the vehicle to be returned.

Section 16. Section 10.24.130 and Ordinance 1264 (part), 1997, is moved to Section 10.24.150, to read in its entirety, as follows:

10.24.150 - Assessment of costs.

- A. After disposing of the discarded vehicle and deducting any money received from sale of the vehicle from the costs, the enforcement authority shall give notice by personal service or by registered or certified mail to the person in charge of the property from which the vehicle was removed and/or the vehicle owner:
 - 1. Of the unpaid costs of abatement;
 - 2. If notice is mailed to the person in charge of the property, that the costs as indicated will be assessed to, and become a lien against, the

real property unless paid within thirty (30) days from the date of the notice;

3. That if the person in charge of the property objects to the indicated costs of the abatement, a written notice of objection may be filed with the municipal court clerk within ten (10) days from the date of the notice of unpaid costs. If the notice is mailed to the vehicle owner and the vehicle owner objects to the indicated costs of abatement, a written notice of objection may be filed with the municipal court clerk within ten (10) days from the date of the notice of unpaid costs.
- B. Objections to the proposed assessment shall be heard and determined by the municipal court.
 - C. If notice of assessment was sent to the person in charge of the property and if the costs of the abatement are not paid within thirty (30) days from the date of the notice, or within ten (10) days of a court determination made under subsection B of this section, assessment of the costs shall be made by order of the court and entered in the docket of city liens. When the entry is made, it shall constitute a lien on the real property from which the nuisance was removed or abated.
 - D. The lien shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the rate of nine percent per annum. Interest shall accrue from the date of the entry of the lien into the lien docket.
 - E. An error in the name of the person in charge of the property shall not void the assessment, nor will a failure to receive notice of the proposed assessment render the assessment void. The assessment shall remain a valid lien against the property.

Section 17. Section § 12.28.160 is added, to read in its entirety as follows:

10.24.160 – Severability clause.

A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 18. Section § 10.24.160 is added, to read in its entirety as follows:

10.24.160 – Savings clause.

A prosecution that is pending on the effective date of this ordinance and arose from a violation of an ordinance repealed by this ordinance, or a prosecution started within one year after the effective date of this ordinance arising from a violation of an ordinance repealed by this ordinance, shall be tried and determined exactly as if the ordinance had not been repealed.

Section 19. Section § 10.24.170 is added, to read in its entirety, as follows:

10.24.170 - Emergency Clause.

This ordinance being necessary for the immediate preservation of the public welfare, health and safety, an emergency is declared to exist and this ordinance shall take effect upon its passage by the Toledo City Council.

Section 20. Chapter 9.08, OFFENSES AGAINST PUBLIC DECENCY, is hereby repealed in its entirety, including: Section 9.08.010 – Definitions, and Ordinance 1339, § 2, 2011; Section 9.08.020 – Sexual Conduct, and Ordinance 1339, § 3, 2011; and Section 9.08.030 - Urination or defecation in public places, and Ordinance 1339, § 4, 201.

Section 21. Section 12.20.040 and Ordinance 1351, § 6, 2013 is amended, to read in its entirety, as follows:

12.20.040 - Warning—Conduct subject to exclusion.

Before issuing an exclusion under this section, the police or code enforcement officer may first give the person a warning and a reasonable opportunity to desist from the violation of law. If a person is experiencing homelessness, additionally go through the pre-enforcement process described in TMC 10.24.040. An exclusion shall not be issued if the person promptly complies with the direction and desists from the violation of law. Notwithstanding the provisions of this section, no warning shall be required if the person is to be excluded for engaging in conduct that:

- A. Is classified as a felony or as a misdemeanor under any federal or state of Oregon law, or is an attempt, solicitation or conspiracy to commit any such felony or misdemeanor as defined therein; or
- B. Has resulted in injury to any person or damage to any property; or

- C. Constitutes a violation of any of the following provisions of this code:
1. TMC Chapter 6.04, Dangerous dogs;
 2. TMC Chapter 6.08, Dangerous animals;
 3. TMC 9.04.110, Discharge of weapons; or
 4. TMC 12.20.100, Skate Park.
- D. Is conduct for which the person previously has been warned or excluded for committing in a public place.

This Ordinance is adopted by the City Council this 28th day of June, 2023.

APPROVED:

ATTEST:

Mayor Rod Cross

City Recorder Lisa Figueroa