

Dunes City bypasses septic ordinances

In the past Dunes City has been proactive in protecting their assets, the water supply and riparian areas, but recently things have changed.

Dunes City's Comprehensive Plan states: "The city shall protect water assets with vigilance for the benefit of the entire community." Policy B8 states: "The city shall adopt a program to improve maintenance of septic systems for the benefit of all residents..

In 2001 the City Council formed a committee, in keeping with this mandate, to write a septic ordinance. Dunes City was the first city in the state of Oregon to have both a septic maintenance ordinance and a phosphorus reduction ordinance. It was a difficult task because there were no models to follow. In 2006 the City Council adopted a septic system maintenance ordinance. While approximately 70 percent of our community members have complied with the code, 30 percent of the residences have not.

A few years after the ordinance was put into place, positive results were verified by regular testing. In Woahink Lake the phosphorus level, a primary factor in lakes' deterioration, had dropped from 11 parts per million to 4 parts per million (well below the recommended federal level of 7.1). In 2010 the City Council amended Ordinance 173 with Ordinance 203, continuing our maintenance program.

GUEST VIEWPOINT BY SUSIE NAVETTA, WOAHINK LAKE ASSOCIATION

Since the onset of the septic ordinance in 2006, education has been a major part of the program. The council formed a Communication and Education Committee, which sent out newsletters containing septic system information, conservation of water to protect the septic systems information, and the do's and don'ts of septic system use. The committee sponsored the Festival of the Lakes, a day of education with notable speakers and stewardship suggestions, rounded out with music, food and fun. Septic information has always gone out in the packets notifying residents that their septic systems are due for inspection, and septic system information has also been available at City Hall. An educational program alone, no matter how rigorous, can't be expected to result in the same protection as a thorough maintenance program but, through continued education, citizens may become more aware of how to care for their septic systems. For more information on this subject visit the Woahink Lake Association's website,

www.woahinklakeassociation.org.

Having decided that an education program alone was not enough protection for our drinking water sources, Oregon Coast Alliance, Woahink Lake Association and I, assisted by Attorney Sean Malone, looked to the state of Oregon's

Land Use Board of Appeals (LUBA). The city spent over \$23,000 on attorney fees alone, and in the end those dedicated to preserving our property values through lake protection prevailed. LUBA rejected Ordinance 211A, the education ordinance, leaving Ordinance 203, septic maintenance, in place. The petitioners have attempted three times to meet with the city in open dialogue to resolve issues some residents may have with the current wording in the ordinance, yet their efforts to collaborate have apparently fallen on deaf ears.

Recently Dunes City offered to allow the petitioners to make a presentation at a council meeting, but the time allowed was not long enough for a reasonable discussion. The petitioners asked again for discussion time, but to no avail. History shows this presentation was done during the last 12 years of study and documentation and finally with attorneys representing both the petitioners and Dunes City at a LUBA hearing. LUBA has spoken. If Dunes City does not reinstate Ordinance 203 in a timely manner, further action is likely.

This is our drinking water supply. We really must protect our water, the watershed and the longevity of the lakes. Estimates of the cost for a sewer sys-

tem alone could run upwards of \$65 million, or \$83,000 per current home.

My opinion is shared by many. One water quality committee member said, "I think it's far better to maintain clean water through responsible stewardship (keeping it clean) than to be saddled with an unaffordable sewage plant and its ongoing monthly charges." The choice seems clear to me: pay an average of a few dollars a month to maintain your septic system, or pay a hook-up fee of \$25,000 or more, with ongoing monthly operating costs in the \$200 to \$300 range. That's in addition to paying off any bonds issued to finance its construction. Remember, the City won't be paying these costs. One way or another, you will pay them. Can you say, "taxes"?

It is unconscionable for Dunes City to ignore the potential problem of water pollution and not require proper septic system maintenance. Thirty percent of property owners have not yet complied with the city code regarding septic system maintenance, and Dunes City has done nothing. So why are they being allowed to not have their systems properly inspected? And why is Dunes City not complying with the rules of the septic inspection mandated by Ordinance 203? Volunteers have offered to carry out the task of sending inspection notices to those who are out of compliance, only to be rejected. Why?