



CITY OF KEIZER

Keizer Storm Water Task Force

Minutes

Date: Thursday, October 23, 2003
Time: 5:00pm
Location: 930 Chemawa Rd NE, Keizer OR

Call to Order:

Co-Chair, John Blake, called the meeting to order at 5:00pm.

Attendance:

John Blake, Rick Roemer, Dave Chamness, Bruce Nopp, Barb Hunter, Francis Kessler, Beth Daniels, Judy Smith, Jacque Moir, Rob Kissler, Bill Peterson, URS Staff: Krista Reininga, Jennifer Belknap.

Also attending: Nate Brown, City of Keizer Community Development Director

Arriving late: Tim Smith, Counselor Michel Gaynor & Matt Reyes, Keizer PW Staff

Approval of Minutes:

After review of minutes for both August and September meetings, Co-Chair, John Blake called for a motion to pass the minutes from the August 7th meeting. Jacque Moir moved that the minutes be approved as written; Bill Peterson seconded the motion. Motion passed.

Co-Chair, John Blake called for a motion to pass the minutes of the September 17th meeting. Jacque Moir moved that the minutes for the September meeting be approved as written; Bill Peterson seconded the motion. Motion passed.

Staff Liaison Report:

Rob gave an update on the UIC (Underground Injection Control) Monitoring Consortium that Keizer has been involved in. Staff members, Matt Reyes and David Ratliff have received training. They have done their first dip sample and it is now at the Portland Lab; it will be interesting to get the results back. This is a new process. To clarify, a dip sample means the first flush of rain into a catch basin. The samples will be analyzed for metals, nutrients, hydrocarbons, and bacteria. This is being done to help develop a program that DEQ (Department of Environmental Quality) would agree with. They should be able to share the results at the next meeting.

URS Staff Report:

Krista clarified the three handouts that they brought; power point presentation (Oct. 2003) and two attachments (A & F). URS staff was going to try to get through the final two Minimum Measures, thereby being able to discuss the program as a whole at the next meeting. Krista gave an overview of the items to be covered: to include information updates, the 2 Minimum Control Measures, and UIC Design Standards for New Injection Systems. The last item, if time allows, is Record Keeping and Reporting.

Information Updates – At the last meeting URS passed out a summary of the status of the Phase II Jurisdictions in preparing their management plans, to compare what the other jurisdictions are doing to what Keizer is doing. URS updated the table to add more information. URS also reviewed Attachment B which includes a rate survey conducted by the LOC (League of Oregon Cities) – of all the cities in Oregon that do have storm water utilities. Krista included in the table the residential rate per month for each of these cities; giving a background on what other cities are doing to fund their storm water programs. Jennifer was also able to find a model storm water program that was put together in the state of Washington, which compiled what it would cost to implement the Phase II program at a minimum, for both a 10K population city and a 30K population city. This survey broke down each minimum measure to what was required and what it would cost. URS staff compared those numbers with the numbers that URS is coming up with for Keizer; to see for each minimum measure how comparable they are to the estimates. Also included in the table is the estimate from DEQ. URS will send this table out prior to the next meeting for review. There was discussion for clarification. At the next meeting there will be more focus on the costs and how to get this program implemented in Keizer. Reference to “attachment A” was made regarding the survey of other Phase II jurisdictions, giving information on (FTE) full time staff, population, revenue, etc.

Krista addressed the Construction Site Runoff Control Minimum Measure. Traditionally, problems associated with construction site runoff have been focused on. The community usual has questions on what the problem is; often thinking that it would just be soil erosion and sediment. EPA (Environmental Protection Agency) and DEQ are now also focused on other pollutants associated with construction sites in addition to sediment, ex: concrete, petroleum products, paint, debris, etc. (sl 4). Krista also reviewed data that was collected from-in the City of Portland construction sites compared to urban run-off where construction was not taking place; both in flat areas (sl 5-6). There was discussion of the difference in the measurements of TSS (Total Suspended Sediment). To put it in perspective, Francis commented that the discharge permit for the Willow Lake Facility requires no more than 30mg/L. Also Portland tested a 15 acre construction site following one 0.62 inch storm event, compared to an undeveloped basin; both being hilly areas. Comparing these figures, it is evident that construction impacts are really significant. Krista followed with explanation of the background of Phase I requirements involving activity of land of 5 acres or greater (sl 7). The requirements of permits had some overlap with the jurisdictions and DEQ. The two worked out an agreement that for a portion of the permit fee, the City would administer the erosion control program and then if it becomes an enforcement issue, DEQ would then step in and help. Rob asked for clarification on if there was litigation; Krista will check into it and report back. Reference was made to “Attachment D”, which is a breakdown of the permit fee and who is responsible for what if an agreement is made with DEQ. Krista then referenced “Attachment C”, which is a survey done by ACWA (Association of Clean Water Agencies) regarding other Oregon jurisdiction’s erosion control programs. This may be useful later, as a guideline for language when developing an ordinance. Krista continued to review what Phase I jurisdictions have done and also what the Phase II NPDES (National Pollutant Discharge Elimination System)

requirements are; these are similar, except for the requirement to address sites that are size difference of 1 acre in size instead of 5 acres. (sl 9, 10 & 11)

Tim Smith arrived.

Currently Keizer does not have an erosion control ordinance. Keizer staff is aware of the NPDES requirements and are informing the developers that they do need to obtain 1200C permits from DEQ. There is guidance with this, but no ordinance in place or specific requirements from Keizer. (sl 12)

There are a lot of existing resources to draw from to put this program together. A lot of jurisdictions are using the Clean Water Services /Clackamas County Erosion Control Manual. There is also a model program that has been developed by the state of Washington that has example site inspection forms, etc. Again, the Memorandum of Agreement with DEQ to administer the 1200C NPDES permit could be a way to obtain a large portion of the permit fee. The Fish-Friendly Model Erosion Control Program, which came about from the fish listings in Oregon endangered species act, is approved by the National Marine Fishery Service. DEQ also approved of this. Much of this is on the Web. It is just a matter of developing a committee in Keizer, deciding which pieces of different plans that would be best for Keizer. (sl 13)

URS recommendation for compliance is the basic requirements of adopting an ordinance, developing a guidance manual, training, review site plans, conduct site inspections, and to publish an information phone number; which Krista reviewed. (sl 15) In addition, URS recommends developing a Memorandum of Agreement with DEQ, which will provide extra funding for a program that is already required. Again, Krista will check on liability issues, but it seems to be working well for the jurisdictions that are participating. There was clarification on the process; what the City would be responsible for and what the DEQ would be responsible for. The question was raised regarding contractors vs. homeowners, does this apply to both. In the discussion of this (sl 16), Krista stated that this is a significant issue to be decided. The requirement is for 1 acre or greater, but it would be up to the task force to look at the policy and decide whether to include yard landscaping or to make it exempt. There was also discussion of a development of a larger size, dividing and selling smaller lots. The discussion went back to the fact that the City would have to determine these things and include them in their policy; whether it is who it applies to, what are the requirements for the contractor, if a site plan is required, what time of year, etc.. Rob felt that Keizer had a pretty good handle on site development because a 1200C Permit is required. There are problems, but along with that are simple solutions that could prevent a lot of the run-off. Ideas were discussed; which led to the importance of education. Different techniques were discussed of possible options to help with erosion control, as was seasonal construction. Tim responded to the discussion from the point of a developer, and how little control he has once he sells the lots. Krista reminded the committee that this is not only a water quality issue, but also a cost issue for the City if the storm systems get clogged, etc. Discussion continued on different examples that may pose problems; also suggestions for possible solutions, including heightened inspections.

Due to time, Krista quickly ran through 'Attachment F', which reflects estimates of /and cost/ hours of FTE for each of the minimum measures discussed. Clarification for 'Alternative A' is if done In-house; 'Alternative B' would be if it is contracted out. There was also clarification on the timeline. The timeline begins when the permit is issued. It was pointed out that some of these things may have to be rescheduled until funding is determined. The question was raised in regards to commercial construction, specifically the major development of the Keizer Station that is planned. Rob responded. He felt that it would be easier to manage and that there is more control on larger developments, then on a number of smaller developments. It was also brought

out that the committee may want to include addressing the slope of the property involved. It was pointed out that as the committee looks at other examples, they will see that other jurisdictions have incorporated these kinds of ideas. Krista added that the City of Eugene has not only included the 1 acre or greater in their program, but then also added a map showing sensitive areas that showed areas with slopes of concern.

Councilor Smith inquired if the upcoming Public Works Permit Specialist would be assigned any of these duties. Rob responded that these duties were not included when developing the job description for this position.

Beth asked for clarification on the inspections of larger developments and expressed the need to be informed as the development starts; the community will be concerned that the city is on top of things. Staff member, Matt Reyes responded to clarify that on the larger developments it is easier to manage because of the frequency of the inspections. Staff, as him self, will be visiting the site typically 4 times a day; whereas on smaller developments it may be once a day or even once a week. It was also pointed out the importance of communication between DEQ, the Developer and the City. Tim responded as a developer, that even though he gets his permits through DEQ, if there is a concern from a citizen, they go to the City with the complaint and then in turn the City contacts the developer. Rob interjected that he has met with City Engineer, Bill Peterson, along with other City staff, and a team will be developed to manage the Keizer Station project. He also wanted to reassure everyone that there will be very stringent standards and very good construction specifications which will be adhered to. Some of it will be outsourced due to the size. Bill Peterson added to the process of the natural flow. Discussion continued on the process and concerns of this.

In the interest of time, and the next meeting being dedicated to discussing costs and how the committee wants the program to look, Jennifer encouraged members to read the more detailed breakdown of where the costs came from on page 9 of attachment F; coming to the next meeting with thoughts and ideas. Francis requested that at the next meeting URS bring back figures that reflect inflation over the years. It was also brought out that the task force will need to fact to look at the total estimated FTE and making sure it is reasonable for Keizer. Krista responded with different options that the committee will need to look at, at the next meeting. Discussion continued as the committee reviewed this attachment. Jennifer had the committee look at attachment B, to look at comparable cities and their source of funding. This discussion led into a discussion of how the ordinance needs to be written. Francis expressed concern of funding; not having anything in place right now. Rob clarified that the funding right now is for 1 FTE for street and storm drain maintenance, which covers approximately 59 miles of pipe. The maintenance for storm drains are complaint driven, not preventative. Staff also brought forward the fact that there has little or no maintenance on some of these systems.

Krista continued with review of 'Post Construction Runoff Control'. Krista explained the graph showing a comparison of two creeks in the Portland area, Balch and Fanno (sl 21). These two creeks were chosen because they had standards. Both areas are hilly, one undeveloped the other developed. Krista continued with the NPDES requirements, this one being long term (sl 22); also reviewed examples from communities that are required to have BMP's (Best Management Practices) for new developments. Attachment E gives a summary of what some Phase I's do, as for as who it applies to, what the specific requirements are, and what BMP's they are including (sl 24). A quick review of 'What Keizer is Doing Now' was given. Clarification was given on the Building Permit process and the requirements they have pertaining to runoff, and how land use change effects these requirements. URS recommended spending the 1st year of permit process to writing an ordinance which would address 4 issues, which are broken down in detail on slides 27-30. In addition, there would be training, site plan reviews and site inspections. In

discussion of the 4 issues that the ordinance needs to address, the issues related to maintenance responsibilities has become huge in other jurisdictions; depending on location and what the City wants to be responsible for. It was also brought out that a lot of times, a lot of effort is used, and then no maintenance is done, there by lending it to a waste of dollars and time. It was again reiterated that the next meeting will be specifically for discussion of cost – referring to Attachment F.

Jennifer quickly addressed UIC Requirements, as they are related to New Development Requirements. The City needs to inform developers regarding these requirements. It often becomes the public's responsibility if a developer does not develop to site standards. By being informed, this will save the City money in the long run. There was discussion on whether or not the City would continue to have UIC's. Jennifer expressed that whether or not the City continues UIC's in the future, this is a good thing for future for all to know what their responsibilities are. Rob had Bill Peterson, City Engineer, address the committee on what the City has been doing over the last year regarding UIC's in new development. Bill explained that with the changes in the new standards, they have changed their procedures for what can and can not be approved. Generally, UIC's are not allowed any more, with a few exceptions of on site. Rob further explained the motive behind this. Jennifer again reiterated that there are options to be considered, but if the City did continue, these would be the requirements (sl 34). This would be a mute point, once the City gets an ordinance in place. Jennifer proceeded, going through the UIC Siting and Design Criteria (sl 35). Jennifer stated these are pretty well defined set of standards, as she listed them. Also mentioned, that if you have only roof drainage, with a pipe coming down from a roof from a gutter, you can drain that into an injection well with very little concern from DEQ. Bill Peterson asked if it would be beneficial for the City to start requiring roof drains, reducing the total amount of run-off, where possible. Jennifer responded that this would require specific criteria as well. Infiltration of storm water is not necessarily a bad idea; it is just infiltration of pollutant storm water that is the negative problem. Jennifer continued that if the City continues with UIC's, in order to meet the requirements listed, revision of Development Code or Design Standards would need to be done to include these. That way, developers will know what their requirements are when they want to put one in. Also, the ACWA UIC Best Management Practice Manual provides recommendations for specific language that could be used for those types of revisions. Jennifer reviewed what other UIC communities are doing (sl 37). The committee already addressed what Keizer was doing; which is not allowing any new UIC's. If Keizer did decide to allow UIC systems, on page 11-13 of Attachment F, there is a summary of draft cost. These would reflect revision of development code and revise your design standards. If the City decided to consider including roof drainage only, there would be some time associated with changing those documents. At the next meeting where costs are discussed in detail, URS will provide draft costs reflecting roof drainage only.

Due to shortage of time, the Record Keeping and Reporting segments will be skipped and addressed later. Krista concluded with setting the outline for the next meeting. Options of how to facilitate the next meeting was discussed; putting alternatives together, in house or contract services, FTE's, etc. URS asked committee for input on what would be the best way for them to lay this out to help them make these decisions, pick it apart, and finalize the program. Clarification was made on the minimum requirements; discussed possible flexibilities, timing being one. There was inquiry on the process; the need to decide what we want to do before deciding the FTE's involved. Francis responded that there are both programmatic and policy decisions to be made, the programmatic ones are more cast in stone, where the policy is more flexible. It was reiterated that what has been presented are the 'minimums', with the exception of a few areas. Discussion will continue on this at the next meeting.

Appearance of Interested Citizens:

No interested citizens appeared.

New Business:

No new business discussed.

Old Business:

No old business discussed.

Meeting Adjourned:

7:00pm

Next Meeting:

November 20, 2003 5-7PM

Rob reminded members of the importance of these meetings. There is much to be done in the next couple of meetings, so all were encouraged to attend.

Minutes Prepared by:

Cathy Meeks